

BY AUTHORITY OF CONGRESS.

THE
Statutes at Large, Treaties,
AND
PROCLAMATIONS,
OF THE
UNITED STATES OF AMERICA.

FROM

DECEMBER 5, 1859, TO MARCH 3, 1863.

Arranged in Chronological Order and carefully collated with the
Originals at Washington.

WITH

REFERENCES TO THE MATTER OF EACH ACT AND TO THE SUBSEQUENT
ACTS ON THE SAME SUBJECT.

EDITED BY

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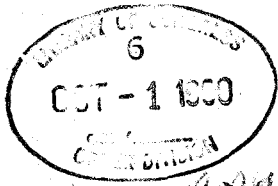
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VOL. XII.

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LIST
OF THE
PUBLIC ACTS AND RESOLUTIONS
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AND OF THE PROCLAMATIONS,
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PUBLIC ACTS OF THE THIRTY-SIXTH CONGRESS

OF THE

UNITED STATES,

Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the fifth day of December, A. D. 1859, and ended on Monday, the twenty-fifth day of June, A. D. 1860.

JAMES BUCHANAN, President. JOHN C. BRECKINRIDGE, Vice-President, and President of the Senate. WILLIAM PENNINGTON, Speaker of the House of Representatives.

CHAP. I. *An Act making Appropriations to defray the Deficiencies in the Appropriations for the Service of the Post-Office Department for the fiscal Year ending the 30th of June, 1859, and in Part for the Support of the Post-Office Department for the fiscal Year ending the 30th June, 1860.*

Feb. 15, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of four million two hundred and ninety-six thousand and nine dollars and twenty-six cents is hereby appropriated out of any money in the treasury not otherwise appropriated, for the purpose of supplying the deficiency in the revenues and defraying the expenses of the Post-Office Department for the year ending the thirtieth of June, one thousand eight hundred and fifty-nine.

Deficiency appropriation for Post-Office Department for year ending June 30, 1859.

SEC. 2. *And be it further enacted,* That towards the support of the Post-Office Department, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty, the sum of four millions of dollars, payable out of any money in the treasury arising from the revenues of the Post-Office Department, is hereby appropriated, and the further sum of two millions four hundred thousand dollars is hereby appropriated, payable out of any money in the treasury not otherwise appropriated, said sums to be expended in conformity with the provisions of the act of the second day of July, one thousand eight hundred and thirty-six, in the payment exclusively of compensation to postmasters and clerks in their offices, mail depredations and special agents, and for the transportation of the mails, for wrapping paper, mail bags, blanks and paper for the same, mail locks, keys, and stamps, postage stamps and stamped envelopes.

Appropriations for Post-Office Department for year ending June 30, 1860.

For what to be expended.

1836, ch. 270.
Vol. v. p. 80.

SEC. 3. *And be it further enacted,* That interest at the rate of six per cent., per annum, to commence sixty days after the expiration of the quarter in which the service was rendered, but in no case prior to the first day of May, eighteen hundred and fifty-nine, to the date of the approval of this act, shall be paid on all sums found due to the contractors for carrying the mail, and that a sum sufficient to pay the same be and is hereby appropriated out of any monies in the treasury not otherwise appropriated: *Provided,* That such interest shall be payable

Interest to be paid on certain sums found due contractors for services since May 1, 1859.

To be paid only to the contractors, and to be in full for all damages, &c.

Appropriation for temporary clerks.

Post-office blanks to be printed by contract, to be awarded to lowest bidder.

Repeal of former laws.

only to the contractors themselves; and the same is hereby declared to be in full of all damages by reason of failure or delay in payment; and the same shall be receipted for accordingly. But no interest shall be allowed on payments for the last quarter, ending the thirty-first of December, eighteen hundred and fifty-nine.

SEC. 4. *And be it further enacted*, That the sum of one thousand dollars be, and the same is, hereby, appropriated, for the services of temporary clerks in expediting the payment of creditors of the Post-Office Department.

SEC. 5. *And be it further enacted*, That the superintendent of the public printing be required to procure the printing of the post-office blanks by contract, after thirty days' public notice, and to award said contract for the usual period of post-office contracts, to the bidder who offers to print said blanks at the greatest per centum deduction from the prices authorized to be paid by law for the printing of the Executive Departments; and that all laws, or parts of laws, now in force, in relation to the printing of post bills or post-office blanks, be, and the same are hereby, repealed.

APPROVED, February 15, 1860.

March 2, 1860.

CHAP. II.—*An Act making Appropriations for the Payment of invalid and other Pensions of the United States for the Year ending the thirtieth June, eighteen hundred and sixty-one.*

Appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the payment of pensions for the year ending the thirtieth of June, eighteen hundred and sixty-one.

Invalid pensions.

For invalid pensions, under various acts, four hundred and twenty-five thousand dollars.

Pensions to widows.

1836, ch. 362.
1838, ch. 189.
1843, ch. 102.
1844, ch. 102.
1848, ch. 8.
1848, ch. 120.
1852, ch. 41.

For pensions to widows of those who served in the Revolutionary war, under the third section of the act of fourth July, eighteen hundred and thirty-six, the acts of seventh July, eighteen hundred and thirty-eight, third March, eighteen hundred and forty-three, seventeenth June, eighteen hundred and forty-four, second February, and twenty-ninth July, eighteen hundred and forty-eight, and second section act of third February, eighteen hundred and fifty-three, two hundred thousand dollars.

Widows and orphans.

1848, ch. 108.

For pensions to widows and orphans, under first section act fourth July, eighteen hundred and thirty-six, act of twenty-first July, eighteen hundred and forty-eight, first section act of third February, eighteen hundred and fifty-three, and under special acts, sixty thousand dollars.

Navy invalid pensions.

For navy invalid pensions, forty-three thousand dollars.

Navy pensions.

1848, ch. 155.

For navy pensions to widows and orphans, under act of eleventh August, eighteen hundred and forty-eight, one hundred and twenty thousand dollars.

Privateer invalids.

For privateer invalids, one thousand dollars.

APPROVED, March 2, 1860.

March 2, 1860.

CHAP. III.—*An Act authorizing the Secretary of the Treasury to issue Registers to Schooners Helen Blood and Sarah Bond of Oswego, in the State of New York.*

Registers to be issued to schooners Helen Blood and Sarah Bond.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized to issue registers to the owners of schooners Helen Blood and Sarah Bond of Oswego, in the State of New York, the said vessels having been built in Canada: *Provided*, The Secretary shall be satisfied that the owners of said schooners are citizens of the United States.

APPROVED, March 2, 1860.

CHAP. V.—An Act to extend the Provisions of "An Act to enable the State of Arkansas and other States to reclaim the Swamp Lands within their Limits" to Minnesota and Oregon, and for other Purposes. March 12, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of Congress entitled "An act to enable the State of Arkansas and other States to reclaim the 'swamp lands' within their limits," approved September twenty-eight, eighteen hundred and fifty, be, and the same are hereby, extended to the States of Minnesota and Oregon: *Provided*, That the grant hereby made shall not include any lands which the government of the United States may have reserved, sold, or disposed of (in pursuance of any law heretofore enacted) prior to the confirmation of title to be made under the authority of the said act.

Provisions of act of 1850, ch. 84, (vol. ix. p. 513,) extended to Minnesota and Oregon.
Proviso.

SEC. 2. *And be it further enacted*, That the selection to be made from lands already surveyed in each of the States including Minnesota and Oregon, under the authority of the act aforesaid, and of the act to aid the State of Louisiana in draining the swamp lands therein, approved March second, one thousand eight hundred and forty-nine, shall be made within two years from the adjournment of the legislature of each State at its next session after the date of this act; and, as to all lands hereafter to be surveyed, within two years from such adjournment, at the next session, after notice by the Secretary of the Interior to the governor of the State, that the surveys have been completed and confirmed.

Selections under said act, and the act of 1849, ch. 87, (vol. ix. p. 352,) when to be made.

APPROVED, March 12, 1860.

CHAP. VII.—An Act to repeal the third Section of an Act entitled "An Act to increase and regulate the Terms of the Circuit and District Courts for the Northern District of the State of New York," approved July seventh, eighteen hundred and thirty-eight. March 24, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the third section of the act entitled "An act to increase and regulate the terms of the circuit and district courts for the northern district of the State of New York," approved July seventh, eighteen hundred and thirty-eight, be, and the same is hereby, repealed.

Repeal of § 3 of act of 1838, ch. 182, (vol. v. p. 295,) which subdivided the district into three divisions for the trial of issues of fact.

APPROVED, March 24, 1860.

CHAP. VIII.—An Act to amend an Act entitled "An Act to regulate the Carriage of Passengers in Steamships and other Vessels," approved March third, eighteen hundred and fifty-five, for the better Protection of Female Passengers, and other Purposes. March 24, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every master or other officer, seaman or other person employed on board of any ship or vessel of the United States, who shall, during the voyage of such ship or vessel, under promise of marriage, or by threats, or by the exercise of his authority, or by solicitation, or the making of gifts or presents, seduce and have illicit connexion with any female passenger, shall be guilty of a misdemeanor, and upon conviction, shall be punished by imprisonment for a term not exceeding twelve months, or by a fine not exceeding one thousand dollars: *Provided*, That the subsequent intermarriage of the parties seducing and seduced may be pleaded in bar of a conviction.

1855, ch. 213. Vol. x. p. 715.

Seduction and illicit connection with female passenger on any vessel of the United States, how punished.

Proviso.

SEC. 2. *And be it further enacted*, That neither the officers, seamen, or other persons employed on board of any ship or vessel bringing emigrant passengers to the United States, or any of them, shall visit or frequent any part of such ship or vessel assigned to emigrant passengers, except by the direction or permission of the master or commander of such ship or vessel first made or given for such purpose; and every officer, seaman, or other person employed on board of such ship or vessel, who shall violate the provisions of this section shall be deemed

The frequenting without permission the part of such vessel assigned to emigrant passengers, to work forfeiture of wages.

A master permitting persons to frequent such part of such vessel to be fined.

guilty of a misdemeanor, and, on conviction thereof, shall forfeit to the said ship or vessel his wages for the voyage of the said ship or vessel during which the said offence has been committed. Any master or commander who shall direct or permit any officer or seaman or other person employed on board of such ship or vessel, to visit or frequent any part of said ship or vessel assigned to emigrant passengers, except for the purpose of doing or performing some necessary act or duty as an officer, seaman, or person employed on board of said ship or vessel, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine of fifty dollars for each occasion on which he shall so direct or permit the provisions of this section to be violated by any officer, seaman, or other person employed on board of such ship or vessel.

Notices hereof, in different languages to be posted.

Penalty on master for neglect.

SEC. 3. *And be it further enacted*, That it shall be the duty of the master or commander of every ship or vessel bringing emigrant passengers to the United States to post a written or printed notice in the English, French, and German languages containing the provisions of the second section of this act in a conspicuous place on the fore-castle, and in the several parts of the said ship or vessel assigned to emigrant passengers, and to keep the same so posted during the voyage; and upon neglect so to do, he shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding five hundred dollars.

Fine under the first section may be paid to the female seduced, &c.

SEC. 4. *And be it further enacted*, That, in case of the conviction of any person under the provisions of the first section of this act, and the imposition of a fine, the court sentencing the person so convicted may, in its discretion, by an order to be entered on its minutes, direct the amount of the fine when collected, to be paid for the use or benefit of the female seduced, or her child or children, if any.

Testimony of the female must be corroborated, and indictment found within one year.

SEC. 5. *And be it further enacted*, That no conviction shall be had under the provisions of this act on the testimony of the female seduced uncorroborated by other evidence, nor unless the indictment shall be found within one year after the arrival of the ship or vessel at the port for which she was destined when the offence was committed.

APPROVED, March 24, 1860.

March 27, 1860.

CHAP. IX.—*An Act to establish Mail Routes in the Territory of Kansas.*

Mail routes in Kansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and are hereby, established in the Territory of Kansas, the following mail routes:

A mail route from Denver City to Missouri City, via Arrapahoe, Golden City, Golden Gate, and Mountain City, a distance of forty miles.

A mail route from Denver City to Breckenridge, via Baden and Tarryall, a distance of one hundred miles.

A mail route from Denver City to Boulder, in Nebraska Territory, a distance of forty miles.

A mail route from Denver City, down the Platte River, to Julesburg, a distance of two hundred and forty miles.

A mail route from Denver City to Colorado City, a distance of sixty-eight miles, via Belmont.

APPROVED, March 27, 1860.

March 29, 1860.

CHAP. X.—*An Act making Appropriations for fulfilling Treaty Stipulations with the Ponca Indians, and with certain Bands of Indians in the State of Oregon and Territory of Washington, for the Year ending June thirtieth, eighteen hundred and sixty.*

Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the treasury not

otherwise appropriated, for the purpose of fulfilling treaty stipulations with various Indian tribes :

Poncas.—For first of five instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle upon the tract reserved for their future homes, per second article treaty twelfth March, eighteen hundred and fifty-eight, twelve thousand dollars.

Poncas.

Post, p. 997.

For first of ten instalments for the establishment and maintenance of one or more manual labor schools, under the direction of the President, per second article treaty twelfth March, eighteen hundred and fifty-eight, five thousand dollars.

For first of ten instalments, or during the pleasure of the President, to be expended in furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of the mill provided for in the first part of this article, as the Secretary of the Interior may consider advantageous and necessary for them, per second article treaty twelfth March, eighteen hundred and fifty-eight, seven thousand five hundred dollars.

For maintaining and subsisting the Poncas during the first year after their removal to their new homes, purchasing stock and agricultural implements, breaking up and fencing land, building houses, and in making such other improvements as may be necessary for their comfort and welfare, per second article of treaty of twelfth of March, eighteen hundred and fifty-eight, twenty thousand dollars.

To provide the Poncas with a mill suitable for grinding grain and sawing timber; one or more mechanic shops, with the necessary tools for the same, and dwelling-houses for an interpreter, miller, engineer for the mill, if one be necessary, farmer, and the mechanics that may be employed for their benefit, per second article of treaty of twelfth of March, eighteen hundred and fifty-eight, ten thousand five hundred dollars.

To provide and set apart this sum to enable the Poncas to adjust and settle their existing obligations and engagements, including depredations committed by them on property of citizens of the United States prior to the date of the ratification of this agreement, so far as the same may be found and decided by their agent to be valid and just, subject to the approval of the Secretary of the Interior, per second article of treaty of twelfth of March, eighteen hundred and fifty-eight, twenty thousand dollars.

Dwamish and other allied Tribes in Washington Territory.—For first instalment on one hundred and fifty thousand dollars, under the direction of the President, per sixth article treaty twenty-second January, eighteen hundred and fifty-five, fifteen thousand dollars.

Dwamish and other allied tribes in Washington Territory.

To enable the said Indians to remove to and reside upon their reservations, and to clear, fence, and break up a sufficient quantity of land for cultivation, to be laid out and expended under the direction of the President, per thirteenth article treaty twenty-second January, eighteen hundred and fifty-five, fifteen thousand dollars.

Post, p. 927.

For first of twenty instalments for the establishment and support of an agricultural and industrial school, and to provide said school with a suitable instructor or instructors, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, three thousand dollars.

For first of twenty instalments for the establishment and support of a smith and carpenter's shop, and to furnish them with the necessary tools, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For first of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician, who shall furnish medicines for the sick, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, three thousand dollars.

Makahs.
Post, p. 940.

Makah Tribe.—For first instalment on thirty thousand dollars, under the direction of the President, per fifth article treaty thirty-first January, eighteen hundred and fifty-five, three thousand dollars.

For first of twenty instalments for the support of an agricultural and industrial school, and for pay of teachers, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For first of twenty instalments for a smith and carpenter's shop, and to provide the necessary tools therefor, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For first of twenty instalments for the employment of a blacksmith, carpenter, and farmer, and a physician, who shall furnish medicines for the sick, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, three thousand dollars.

To enable them to remove to and settle upon their reservations, and to clear, fence, and break up a sufficient quantity of land for cultivation, under the direction of the President, per sixth article treaty thirty-first January, eighteen hundred and fifty-five, three thousand dollars.

Walla-Wallas,
Cayuses, and
Umatillas.
Post, p. 947.

Walla-Walla, Cayuses, and Umatilla Tribes.—For first instalment on fifty thousand dollars, for the erection of buildings on the reservations, fencing, and opening farms, per third article treaty ninth June, eighteen hundred and fifty-five, twenty-five thousand dollars.

For first of five instalments of eight thousand dollars, under the direction of the President, per second article treaty ninth June, eighteen hundred and fifty-five, eight thousand dollars.

For the erection at suitable points on the reservations of one saw-mill, one flouring-mill, a building suitable for a hospital, two school-houses, one blacksmith's shop, one building for wagon and plough maker, one carpenter and joiner's shop, and one dwelling for each, per fourth article treaty ninth June, eighteen hundred and fifty-five, ten thousand dollars.

For two millers, one farmer, one superintendent of farming operations, two school-teachers, one blacksmith, one wagon and plough maker, one carpenter and joiner, to each the necessary buildings, per fourth article treaty ninth June, eighteen hundred and fifty-five, ten thousand dollars.

For first of twenty instalments for the purchase of all necessary mill fixtures and mechanical tools, medicines and hospital stores, books and stationery for schools, and furniture for the employees, per fourth article treaty ninth June, eighteen hundred and fifty-five, three thousand dollars.

For first of twenty instalments for the pay and subsistence of one superintendent of farming operations, one farmer, one blacksmith, one wagon and plough maker, one carpenter and joiner, one physician and two teachers, per fourth article treaty ninth June, eighteen hundred and fifty-five, seven thousand five hundred dollars.

For building one dwelling-house for the head chiefs of the Walla-Walla, Cayuse, and Umatilla bands, and for ploughing and fencing for ten acres of land, per fifth article treaty ninth June, eighteen hundred and fifty-five, two thousand dollars.

For first of twenty instalments for pay to each of the chiefs of the Walla-Walla, Cayuse, and Umatilla bands the sum of five hundred dollars per annum, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand five hundred dollars.

For the Walla-Walla chief, three yoke of oxen, three yokes and four chains, one wagon, two ploughs, twelve hoes, twelve axes, two shovels, one saddle and bridle, one set of wagon harness, and one set of plough harness, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand two hundred dollars.

For building one dwelling-house for the use of Pio-pio-mox-mox, and fencing and ploughing for him five acres of land, per fifth article treaty

ninth June, eighteen hundred and fifty-five, three hundred and fifty dollars.

For first of twenty instalments for salary for the son of Pio-pio-mox-mox, per fifth article treaty ninth June, eighteen hundred and fifty-five, one hundred dollars.

For locating and opening a wagon road from Powder River or Grand Round, so as to reach the plain at the western base of the Blue Mountains, south of the southern limits of the reservation of said Indians, per fifth article treaty ninth June, eighteen hundred and fifty-five, ten thousand dollars.

Yakama Nation.—For first instalment on two hundred thousand dollars for beneficial objects, under the direction of the President, per fourth article treaty ninth June, eighteen hundred and fifty-five, sixty thousand dollars.

Yakamas.
Post, p. 953.

For first of twenty instalments for the establishment and support of two schools, one of which to be an agricultural and industrial school, erecting the necessary buildings, keeping them in repair, and for providing suitable furniture, books, and stationery, per fifth article treaty ninth June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For first of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty ninth June, eighteen hundred and fifty-five, two thousand two hundred dollars.

For first of twenty instalments for the building of two blacksmiths' shops, to one of which shall be attached a tin shop, and to the other a gunsmith's shop, one carpenter's shop, and one wagon and plough-maker's shop, and for furnishing the necessary tools, per fifth article treaty ninth June, eighteen hundred and fifty-five, three thousand five hundred dollars.

For first of twenty instalments for the employment of one superintendent of farming, and two farmers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough-maker, per fifth article treaty ninth June, eighteen hundred and fifty-five, six thousand four hundred dollars.

For first of twenty instalments for the erection of one saw-mill and one flouring-mill, and furnishing the necessary tools and fixtures, per fifth article treaty ninth June, eighteen hundred and fifty-five, nine thousand dollars.

For first of twenty instalments for the erection of a hospital, and providing the necessary medicines and furniture, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand two hundred dollars.

For first of twenty instalments for the pay of a physician, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand dollars.

For first of twenty instalments for the erection of buildings required for the use of employees, per fifth article treaty ninth June, eighteen hundred and fifty-five, three thousand five hundred dollars.

For first of twenty instalments for the salary of such persons as the said confederated tribes and bands of Indians may select to be their head chief, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For building for said chief a comfortable house, and properly furnishing the same, and to plough and fence for him ten acres of land, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred and fifty dollars.

Nez Percé Indians.—For first instalment on two hundred thousand dollars for beneficial objects, at the discretion of the President, per fourth article of treaty eleventh June, eighteen hundred and fifty-five, sixty thousand dollars.

Nez Percés.
Post, p. 958.

For first of twenty instalments for the establishment and support of two s[c]hools, one of which is to be an agricultural and industrial school; erecting the necessary buildings, keeping them in repair, and for providing suitable furniture, books, and stationery, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For first of twenty instalments for the employment of one superintendent of teaching, and two teachers, per fifth article treaty eleventh June, eighteen hundred and fifty-five, two thousand two hundred dollars.

For first of twenty instalments for the building of two blacksmiths' shops, to one of which shall be attached a tinsmith's shop, and to the other a gunsmith's shop, one carpenter's shop, and one wagon and plough-maker's shop, and for furnishing the necessary tools, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three thousand five hundred dollars.

For first of twenty instalments for the employment of one superintendent of farming, and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough-maker, per fifth article treaty eleventh June, eighteen hundred and fifty-five, six thousand four hundred dollars.

For first of twenty instalments for the erection of one saw-mill and one flouring-mill, and furnishing the necessary tools and fixtures, per fifth article treaty eleventh June, eighteen hundred and fifty-five, nine thousand dollars.

For first of twenty instalments for the erection of a hospital and providing the necessary medicines and furniture, per fifth article treaty eleventh June, eighteen hundred and fifty-five, one thousand two hundred dollars.

For first of twenty instalments for the pay of a physician, per fifth article treaty eleventh June, eighteen hundred and fifty-five, one thousand dollars.

For first of twenty instalments for the erection of buildings required for the use of the employees, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three thousand five hundred dollars.

For first of twenty instalments for the salary of such person as the tribe may select to be their head chief, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For building for said chief a comfortable house and properly furnishing the same, and to plough and fence for him five acres of land, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred and fifty dollars.

Flatheads and other confederated tribes.

Post, p. 976.

Flatheads and other Confederated tribes. — For first instalment on one hundred and twenty thousand dollars for beneficial objects, at the discretion of the President, per fourth article treaty sixteenth June, [July] eighteen hundred and fifty-five, thirty-six thousand dollars.

For first of twenty instalments for an agricultural and industrial school, erecting the necessary buildings, and providing them with furniture, books, and stationery, per fifth article treaty sixteenth June, [July] eighteen hundred and fifty-five, two thousand four hundred dollars.

For first of twenty instalments for the employment of suitable instructors, per fifth article treaty sixteenth June, [July] eighteen hundred and fifty-five, one thousand two hundred dollars.

For first of twenty instalments for furnishing one blacksmith's shop, to which shall be attached a tin and gun shop, one carpenter's shop, one wagon and plough maker's shop, and furnishing the necessary tools, per fifth article treaty sixteenth June, [July] eighteen hundred and fifty-five, one thousand eight hundred dollars.

For first of twenty instalments for the employment of two farmers, one blacksmith, one tinner, one gunsmith, one carpenter, two millers, and one

wagon and plough maker, per fifth article treaty sixteenth *June*, [July] eighteen hundred and fifty-five, five thousand four hundred dollars.

For first of twenty instalments for the erection of one saw-mill and one flouring-mill, with the necessary tools and fixtures, per fifth article treaty sixteenth *June*, [July] eighteen hundred and fifty-five, nine thousand dollars.

For first of twenty instalments for the erection of a hospital and providing the necessary medicines and furniture therefor, per fifth article treaty sixteenth *June*, [July] eighteen hundred and fifty-five, one thousand two hundred dollars.

For first of twenty instalments for the pay of a physician, per fifth article treaty sixteenth *June*, [July] eighteen hundred and fifty-five, one thousand dollars.

For first of twenty instalments for the erection of buildings required for the use of the employees, per fifth article treaty sixteenth *June*, [July] eighteen hundred and fifty-five, three thousand dollars.

For first of twenty instalments for the pay of such person as the confederated tribes may select to be their head chief, per fifth article treaty sixteenth *June*, [July] eighteen hundred and fifty-five, five hundred dollars.

For building for said chief a comfortable house, and properly furnishing the same, and to plough and fence for him ten acres of land, per fifth article treaty sixteenth *June*, [July] eighteen hundred and fifty-five, three hundred-and fifty dollars.

Confederated Tribes and Bands in Middle Oregon.—For first of five instalments of eight thousand dollars, under the direction of the President, per second article treaty twenty-fifth *June*, eighteen hundred and fifty-five, eight thousand dollars.

Confederated
tribes and bands
in Middle Ore-
gon.

Post, p. 964.

For payment of fifty thousand dollars, a portion of which shall be applied to the payment of such articles as may be advanced them at the time of signing this treaty, and in providing after the ratification thereof, and prior to the removal, such articles as may be deemed essential to their wants by the President; and for the erection of buildings on the reservation, fencing and opening farms, purchase of teams, farming implements, clothing, and provisions, tools, seeds, and for the payment of employees, and for subsisting the Indians the first year after their removal, per third article treaty twenty-fifth *June*, eighteen hundred and fifty-five, fifty thousand dollars.

For the erection of one saw-mill and one flouring-mill, and furnishing the necessary tools and fixtures, per fourth article treaty twenty-fifth *June*, eighteen hundred and fifty-five, nine thousand dollars.

For the erection of suitable hospital buildings and furnishing medicines and furniture, per fourth article treaty twenty-fifth *June*, eighteen hundred and fifty-five, two thousand two hundred dollars.

For the erection of one school-house, one blacksmith's shop, with a tin and gunsmith's shop attached, one wagon and one plough-maker's shop, and furnishing necessary tools, books, and stationery, per fourth article treaty twenty-fifth *June*, eighteen hundred and fifty-five, four thousand dollars.

For the erection of dwelling-houses and the requisite out-buildings for the employees, and for furniture therefor, per fourth article [treaty] twenty-fifth *June*, eighteen hundred and fifty-five, four thousand eight hundred dollars.

For first of fifteen instalments for the pay and subsistence of one farmer, one blacksmith, and one wagon and plough-maker, per fourth article treaty twenty-fifth *June*, eighteen hundred and fifty-five, three thousand five hundred dollars.

For first of twenty instalments for the pay and subsistence of one physician, one sawyer, one miller, one superintendent of farming operations,

and one school-teacher, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five thousand dollars.

For the erection of four dwelling-houses, one for the head chief of the confederated bands, and one for each of the Upper and Lower De Chutes bands of Walla-Walla, and for the Wascopuin band of Wascoes, and to fence and plough for each of the said chiefs ten acres of land, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, two thousand two hundred and fifty dollars.

For first of twenty instalments for the payment of salary to the head chief of the confederated band, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five hundred dollars.

Molels.

Post, p. 981.

Molel Indians.—For first of ten instalments for the erection of one saw-mill and one flouring-mill, and furnishing persons to attend to the same, per second article treaty twenty-first December, eighteen hundred and fifty-five, ten thousand dollars.

For first of five instalments (in addition to the instalments specified in the treaty of twenty-ninth November, eighteen hundred and fifty-four, with the Umpquas and Calapooias) for furnishing iron and steel and other materials for supplying the smith's shop and tin shop provided for in said treaty, and for the pay for the services of the necessary mechanics, per second article treaty twenty-first December, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For the establishment of a manual-labor school, for the employment and pay of teachers, and for furnishing all necessary materials and subsistence for pupils, per second article treaty twenty-first December, eighteen hundred and fifty-five, three thousand five hundred dollars.

For first of ten instalments for the pay of a carpenter and joiner, to aid in erecting buildings and making furniture for said Indians, and to furnish tools in said service, per second article treaty twenty-first December, eighteen hundred and fifty-five, one thousand two hundred dollars.

For first of five instalments for pay of an additional farmer, per second article treaty twenty-first December, eighteen hundred and fifty-five, six hundred dollars.

Qui-nai-elts
and Quil-leh-utes.

Post, p. 972.

Qui-nai-elt and Quil-leh-ute Indians.—For first instalment on twenty-five thousand dollars, under the direction of the President, per fourth article treaty twenty-fifth January, eighteen hundred and fifty-six, two thousand five hundred dollars.

To enable said Indians to settle upon such reservation as may be selected for them by the President, and to clear, fence, and break up a sufficient quantity of land for cultivation, to be expended under the direction of the President, per fifth article treaty twenty-fifth January, eighteen hundred and fifty-six, two thousand five hundred dollars.

For first of twenty instalments for the establishment and support of an agricultural and industrial school, and to provide the same with a suitable instructor or instructors, per tenth article treaty twenty-fifth January, eighteen hundred and fifty-six, two thousand five hundred dollars.

For first of twenty instalments for providing a smith and carpenter's shop, and furnishing them with the necessary tools, per tenth article treaty twenty-fifth January, eighteen hundred and fifty-six, two thousand five hundred dollars.

For first of twenty instalments for the employment of a blacksmith, carpenter, and farmer, to instruct the Indians in their respective occupations, and a physician who shall furnish medicines for the sick, per tenth article treaty twenty-fifth January, eighteen hundred and fifty-six, three thousand eight hundred dollars.

S'Klallams.

Post, p. 934.

S'Klallams.—For first instalment on sixty thousand dollars, under the direction of the President, per fifth article treaty twenty-sixth January, eighteen hundred and fifty-five, six thousand dollars.

To enable them to remove to and settle upon the reservations, and to

clear, fence, and break up a sufficient quantity of land for cultivation, to be expended under the direction of the President, per sixth article treaty twenty-sixth January, eighteen hundred and fifty-five, six thousand dollars.

For first of twenty instalments for the establishment and support of an agricultural and industrial school, and for the pay of suitable teachers, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For first of twenty instalments for the employment of a blacksmith, carpenter, farmer, and a physician who shall furnish medicines for the sick, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, three thousand dollars.

For first of twenty instalments for a smith and carpenter's shop, and to provide the necessary tools, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, two thousand five hundred dollars.

APPROVED, March 29, 1860.

CHAP. XI.—*An Act authorizing Publishers to print on their Papers the Date when Subscriptions expire, and in Relation to the Postage on drop Letters.* April 3, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second clause of section third of the act of thirtieth August, eighteen hundred and fifty-two, establishing the rates of postage on printed matter, is hereby so modified as to read as follows, namely :

Act of 1852, ch. 98, § 3 (vol. x. p. 29), modified in part.

Second: There shall be no word or communication printed on the same after its publication, or upon the cover or wrapper thereof, nor any writing nor mark upon it, nor upon the cover or wrapper thereof, except the name, the date when the subscription expires, and the address of the person to whom it is to be sent.

Date of expiration of subscriptions may be printed on papers.

Post, pp. 705, 707.

SEC. 2. *And be it further enacted,* That on all drop letters delivered within the limits of any city or town by carriers, under the authority of the Post Office Department, one cent each shall be charged for the receipt and delivery of said letters, and no more.

Postage on drop letters delivered by carriers.

Post. p. 705.

APPROVED, April 3, 1860.

CHAP. XIII.—*An Act in Relation to the Return of undelivered Letters in the Post-Office.* April 6, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when any person shall indorse on any letter his or her name and place of residence, as writer thereof, the same after remaining uncalled for at the office to which it is directed thirty days, or the time the writer may direct, shall be returned by mail to said writer; and no such letters shall be advertised, nor shall the same be treated as dead letters, until so returned to the post-office of the writer and there remain[ing] uncalled for one quarter.

1863, ch. 71, § 28. Post, p. 706.

Certain uncalled for letters may be returned to their writers.

Such letters not to be advertised, nor treated as dead letters until, &c.

APPROVED, April 6, 1860.

CHAP. XXVII.—*An Act to settle the Titles to Lands along the Boundary Line between the States of Georgia and Florida.* April 13, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the dividing line between the States of Georgia and Florida shall have been finally surveyed, approved, ratified, and confirmed, as the boundary between those States, the Secretary of the Interior shall be and is hereby, authorized to adjudicate upon principles of equity and justice, all claims, under sales or grants by the State of Georgia, to lands which may fall

Claims to certain lands, granted by Georgia, which may fall in Florida, to be confirmed when, &c.

If Georgia first confirms certain grants by the United States of lands in Florida. within the State of Florida, and all of said claims which may be approved by him shall be and are hereby ratified and confirmed: Provided, however, that the State of Georgia shall first ratify and confirm all sales and grants made by the United States of lands in Florida which may fall within the limits of the State of Georgia under the final adjustment of the boundary line aforesaid.

APPROVED, April 13, 1860.

April 19, 1860.

CHAP. XXXI.—An Act to incorporate the United States Agricultural Society.

United States Agricultural Society incorporated.

Corporate name.

Corporation to hold former property of the society, and may take new, in all not to exceed \$100,000.

Annual meeting.

Election, &c., of officers.

Duty of president.

of treasurer.

who shall give bonds.

of secretary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William W. Corcoran, Benjamin B. French, Benjamin Ogle Tayloe, Ben Perley Poore, and John A. Smith, their associates and successors, be, and they hereby are, made, declared, and constituted a corporation and body politic within and for the District of Columbia, in law and in fact, to have continuance forever, by the name and style of "The United States Agricultural Society;" and by such corporate name, style, and title shall be hereafter forever able and capable, in law and equity, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any court or courts, or other places, and before any judge or judges, justice or justices, or other persons whatsoever, within the District of Columbia, in all and every manner of suits, actions, complaints, pleas, causes, matters, and demands, of whatever kind or nature they may be, in as full and effectual a manner as any other person or persons, bodies politic or corporate, may or can do.

SEC. 2. *And be it further enacted, That all and singular the goods, chattels, and other effects of what kind or nature soever, heretofore given, granted, or devised to the said society, or to any person or persons for the use thereof, or that may have been purchased for or on account of the same, be, and the said goods, chattels, and other effects are hereby, vested in and confirmed to said corporation; and the said corporation may take and receive any sum or sums of money, or any goods, chattels, or other effects of what kind and nature soever, which shall or may hereafter be given, granted, or bequeathed unto them by any person or persons, bodies corporate or politic, capable of making such gift, grant or bequest: Provided, That the goods, chattels, and other effects vested in and confirmed to said corporation, and the moneys, goods, chattels, and other effects which by this act the said corporation is authorized hereafter to receive, shall not in the whole exceed the value of one hundred thousand dollars.*

SEC. 3. *And be it further enacted, That the annual meeting of the United States Agricultural Society shall be held in the city of Washington, on the second Wednesday of January in each and every year, at which meeting there shall be elected, in such manner as the constitution or by-laws of the society may provide, a president; such a number of vice-presidents as may be fixed upon by the constitution or by-laws; an executive committee, to consist of seven members, in addition to whom the president and secretary shall be ex officio members, and of which the president shall be chairman; a treasurer and secretary; all of whom shall hold their offices for one year, and until their successors are elected. The duty of the president shall be to preside over the deliberations of the society, and to have a general supervision of its affairs. The duty of the treasurer shall be to receive and keep safely all the moneys of the society, and to disburse the same under the direction and supervision of the executive committee; he shall give bonds for the faithful performance of his duties, in such penalty as may be fixed, and such surety as may be approved by the president. The duty of the secretary shall be to keep all records of the doings of the society; to conduct the correspondence especially appertaining to his office; to keep the seal, and make certifi-*

cates under the same; to issue medals, certificates, and diplomas; and to superintend all publications emanating from the society. All these officers, and the executive committee, shall perform such duties and additional duties as may be prescribed by the constitution or by-laws of the society, not inconsistent with the provisions of this act. And if said election shall not be made at the time prescribed herein, it may be held at some subsequent time within the year.

Duty of executive committee.

SEC. 4. *And be it further enacted*, That the said society shall have full power and authority to make, have, and use a common seal, and the same to break, alter, and renew at pleasure; to make, ordain, establish, and execute such constitution and by-laws as they may think proper, and the same to alter, amend, or abrogate at pleasure; to fix the salaries or pay of their officers, and to fix the sum that shall be paid for life or annual membership.

Common seal.

By-laws: pay of officers and for membership.

SEC. 5. *And be it further enacted*, That any person may become a life or annual member of said society by paying into the hands of the treasurer such sum as may be prescribed in the constitution or by-laws as the fee for life or annual membership. Honorary members may be elected at the will of the society. It shall require the presence of at least fifteen members of the society to constitute a quorum for the transaction of business, but a less number may adjourn from time to time.

Terms of membership.

Honorary members.

Quorum.

SEC. 6. *And be it further enacted*, That the secretary of said corporation shall keep his business office in the city of Washington, and he shall make up a complete record of all the doings of the society annually.

Secretary to keep business office in Washington, and to make up records.

SEC. 7. *And be it further enacted*, That the constitution, by-laws, and regulations of said society as they stand at the time of the passage of this act, shall be and remain in force until altered or abrogated at a regular annual meeting of the corporation; and the officers who were elected at the annual meeting of the society in January preceding the passage of this act, shall remain in their several offices, and exercise their several duties, until the annual meeting in the January succeeding the passage of this act, and until their successors are elected.

Constitution, by-laws, &c., to be in force until altered at, &c.
Present officers to continue until, &c.

SEC. 8. *And be it further enacted*, That Congress may at any time alter, amend, or annul this act.

Congress may repeal, &c., this act.

APPROVED, April 19, 1860.

CHAP. XXXV.—*An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to establish a criminal Court in the District of Columbia.'"*

April 20, 1860.

1863, ch. 91.

Post, p. 762.

Act of 1839,

ch. 31, §§ 1 and

7, repealed. Vol.

v. pp. 319, 320.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first and seventh sections of the act approved February twentieth, eighteen hundred and thirty-nine, entitled "An act to amend an act entitled, 'An act to establish a criminal court in the District of Columbia,'" be, and that the same are hereby, repealed.

SEC. 2. *And be it further enacted*, That whenever the judge of the said criminal court, from sickness or any other legal cause, shall be unable to hold the said court, he shall give notice thereof to the judges of the circuit court of the District of Columbia, or if he be unable from any legal cause to give such notice, it shall be given by the marshal of the District of Columbia; and thereupon one of the said judges of the circuit court of the District of Columbia shall, by arrangement among themselves, hold the said criminal court during the temporary inability of the judge of the said court: *Provided, however*, That no judge of the said circuit court of the District of Columbia, after once holding said criminal court during the temporary inability of the judge of the said criminal court, shall be required, unless with his own consent on any subsequent occasion of a temporary inability of said judge of the criminal court, to hold the said criminal court again until it shall have been holden by

When the judge of the criminal court for the District of Columbia is unable to hold court, the judges of the circuit court for the District shall in turn perform his duties.

each of the other two judges of the said circuit court of the District of Columbia, it being the intent and meaning of this act to apportion, as near as may be, among the three judges of said circuit court, the extra service which this act imposes on them.

If any judge of the circuit court, so acting, is disabled, one of the other circuit judges shall take his place.

SEC. 3. *And be it further enacted*, That if, when any judge of the circuit court is called on in rotation to hold said criminal court during the inability of the judge thereof, such judge of the circuit court shall be prevented by sickness or other legal cause from holding the said criminal court, then it shall be holden by one of the other two judges of the circuit court, whose duty it would be, under this act, as next in rotation, to hold said criminal court.

Clerk of criminal court may adjourn it from time to time.

SEC. 4. *And be it further enacted*, That nothing in this act contained shall prevent the clerk of the said criminal court from adjourning the same from day to day, for a time not exceeding one week, where the judge of the criminal court shall be taken sick after the commencement and during the progress of a term: *Provided*, That no services rendered by either of the judges of the circuit court, under this act, shall be the foundation for any additional compensation therefor.

Circuit judges to have no additional compensation.

APPROVED, April 20, 1860.

May 5, 1860.

CHAP. XXXVII.—*An Act supplemental to an Act entitled "An Act providing for the taking of the seventh and subsequent Censuses of the United States, and to fix the Number of the Members of the House of Representatives and provide for the future Apportionment among the several States," approved May twenty-third, one thousand eight hundred and fifty.*

1850, ch. 11. Vol. ix. p. 428.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there may be employed in the Census Office, one chief clerk, and, at the discretion of the Secretary of the Interior, such other clerks of the first class as the requirements of the service may demand, of whom the Secretary may advance from time to time, not more than ten to the second class, nine to the third class, and six to the fourth class.

Clerks authorized for the Census Office.

APPROVED, May 5, 1860.

May 9, 1860.

CHAP. XXXIX.—*An Act authorizing the Corporation of Washington City to make a Loan and issue Stock for two hundred thousand Dollars, for building a Market-house.*

Certain land given for a market-house to be erected thereon in two years.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the ground lying between Seventh and Ninth streets, and fronting on Pennsylvania and Louisiana avenues, now and hitherto used and occupied for the Centre Market, be and the same is hereby ceded to the Corporation of Washington, on condition that said Corporation, within two years after this act takes effect, erect thereon a market-house. The said house to be so constructed as to admit foot passengers through only one entrance to the market on the north side; market-wagons and other vehicles on the south side only, with means of exit for the same on Seventh and Ninth streets, and to exclude marketing from Pennsylvania and Louisiana avenues and the sidewalks and pavements thereon. And for the purpose of erecting such market-house it shall be lawful for said Corporation to create a debt, in such form as may be found expedient, not exceeding the sum of two hundred thousand dollars, at a rate of interest not exceeding six per cent. per annum, any restriction in the charter of said city or existing laws to the contrary notwithstanding. *Provided, however*, That the Government of the United States shall, in no event whatever, be, either directly or indirectly, liable for the principal or interest upon any loan which may be obtained under the provisions of this act, and the entire revenue of said building shall, after paying contingent expenses and interest on the stock, be appropriated to the payment of the stock issued in accordance with

House, how to be constructed.

City may create a debt therefor, not to exceed \$200,000, at not over 6 per cent. interest.

United States not to be liable therefor.

Stock how to be paid.

the provisions of this act, *and provided*, That the powers herein granted shall not be exercised by said Corporation until after the second Monday in June next; and that this act shall, immediately upon its passage, be published by said Corporation in at least two newspapers published in the city of Washington, and be continued until after the Corporation election in said city in June next.

SEC. 2. *And be it further enacted*, That no more than two hundred and twenty thousand dollars shall be expended in building said market-house, nor shall any contracts be entered into which involve a larger expenditure for the completion of the same.

Not over \$220,000 to be expended in building.

SEC. 3. *And be it further enacted*, That in case this act shall take effect as hereinbefore provided, it shall be so construed as to vest the title to said lots in said Corporation, so long as the market-house and apartments shall be continued thereon, and used for the purpose aforesaid, and no longer.

Title to the land hereby granted to be in city only while market-house continues thereon.

APPROVED, May 9, 1860.

CHAP. XL.—*An Act to provide Payment for Depredations committed by the Whites upon the Shawnee Indians in Kansas Territory.*

May 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of paying claims of certain members of the Shawnee tribe of Indians, presented to Congress, at its present session, for depredations committed upon their property by citizens or inhabitants of the United States, there be, and is hereby, appropriated, out of any moneys in the treasury not otherwise appropriated, the sum of thirty-six thousand seven hundred and eleven dollars.

Appropriation to pay the Shawnees in Kansas for wrongs done their property by citizens, &c., of the U. S.

SEC. 2. *And be it further enacted*, That the whole or such part of said claims as shall be proved to his satisfaction shall be adjusted and paid, under the direction of the Secretary of the Interior, under the rules and regulations prescribed in the "Act to regulate trade and intercourse with Indian tribes, and to preserve peace on the frontiers," approved June thirty, eighteen hundred and thirty-four: *Provided*, That it shall not be incumbent upon the parties claimant, from the peculiar condition of affairs in the Territory of Kansas at the time the spoliations were committed, to show that the offenders were apprehended and brought to trial.

Claims to be adjusted &c. by the Secretary of the Interior. 1834, ch. 161. Vol. iv. p. 729. Proviso.

APPROVED, May 9, 1860.

CHAP. XLVIII.—*An Act to carry into Effect a Convention between the United States and the Republic of Paraguay.*

May 16, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, by and with the advice and consent of the Senate, shall appoint a commissioner, whose duty it shall be, conjointly with a commissioner appointed by the government of Paraguay, to investigate, adjust, and determine the amount of the claims of the "United States and Paraguay Navigation Company" against the government of Paraguay.

United States to appoint a commissioner

SEC. 2. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, shall appoint a secretary to said commissioner, in behalf of the United States, versed in the English and Spanish languages.

and a secretary.

SEC. 3. *And be it further enacted*, That the said commissioner on the part of the United States, in conjunction with the commissioner on the part of Paraguay, shall be, and he is hereby, authorized to make all needful rules and regulations for conducting the business of their said commission; such rules and regulations not contravening the Constitution of the United States, the provisions of this act, or the provisions of the said convention.

Commissioners to make rules, &c.

Pay of commissioner, secretary and interpreter.

SEC. 4. *And be it further enacted*, That the compensation of the respective officers, for whose appointment provision is made by this act, shall be as follows: To the commissioner, in full for his services, the sum of fifteen hundred dollars; to the secretary and interpreter, in full for his services, the sum of one thousand dollars; and the President of the United States shall be, and he is hereby, authorized to make such provision for the contingent expenses of the said commission on the part of the United States as shall to him appear reasonable and proper; and the said compensations and expenses, and likewise all that part of the compensation and expenses of the umpire under said convention, which is required thereby to be defrayed by the United States, shall be paid out of any money in the treasury not otherwise appropriated.

Papers, &c., to be sent to commission, and then returned to State Department.

SEC. 5. *And be it further enacted*, That the Secretary of State is hereby authorized and required to transmit to the said commission such papers or records, relating to the business before the said commission, as he may deem proper, or as may be called for by the commissioners; and, at the termination of the commission, all the records, documents, and all other papers, which have been before the commissioners, or in possession of its secretary, shall be deposited in the Department of State: *Provided*, That this section shall not be so construed as to prevent the commissioner on the part of Paraguay from depositing in the said Department certified copies or duplicates of papers, filed on behalf of his government, instead of originals.

Money paid under this act to be retained from that received from Paraguay.

SEC. 6. *And be it further enacted*, That the amount paid out of the treasury, pursuant to the provisions of this act for carrying the said convention into effect, shall be retained by the United States out of the money that may, pursuant to the terms of said convention, be received from Paraguay, and that the same be returned to the treasury of the United States.

APPROVED, May 16, 1860.

May 16, 1860.

CHAP. XLIX.—*An Act to furnish additional Mail Facilities.*

Appropriation for mail service in Western Kansas, &c.

1860, ch. ix.
Ante, p. 4.

1858, ch. 162.
Vol. xi. p. 337.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty-five thousand, one hundred and sixty dollars, out of any money in the treasury not otherwise appropriated, be placed at the disposal of the Post Master General, for mail service on the new post routes in Western Kansas, authorized by the act of March twenty-seventh, eighteen hundred and sixty: and that the sum of four hundred thousand dollars is hereby appropriated to be applied on such of the new routes established by the act entitled "an act to establish post routes," [an act to establish certain postal roads,] approved June eleventh, [fourteenth] eighteen hundred and fifty-eight, as the Post Master General may deem advisable.

APPROVED, May 16, 1860.

May 16, 1860.

CHAP. L.—*An Act to create an additional Land District in Washington Territory.*

Post, p. 96.
Columbia River District established.

Boundaries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, when in the opinion of the President it may be expedient, all the public lands in the Territory of Washington to which the Indian title shall have been extinguished or may hereafter be extinguished, lying east and south of the following boundaries, shall constitute a new land district to be called the "Columbia River District," viz.: Beginning on the boundary line between the United States and the British possessions and on the summit of the Cascade Mountains at the nearest range line to the East line of range twelve, thence South on the nearest range lines on the summit of said mountains to the line dividing townships ten and eleven North, thence West to the

line dividing ranges six and seven west, thence north on said line to the third standard parallel, thence west to "Shoal Water Bay," thence with the Shoal Water Bay, including any islands therein, to the Pacific—the western boundary of said district above the line dividing ranges ten and eleven and on the summit of the Cascade Mountains, to be adjusted by the Department of the Interior as near the points before given as is consistent with the lines of the public surveys—and the President shall be authorized hereafter from time to time, as circumstances may require, to adjust the boundaries of the land districts in said Territory and remove the offices when the same shall be expedient.

SEC. 2. *And be it further enacted,* That the President be and he is hereby authorized to appoint by and with the advice and consent of the Senate or during the recess thereof, and until the end of the next session after such appointment, a register and receiver for said district who shall be required to reside at the site of the land office, be subject to the same laws, and entitled to the same compensation as is or may hereafter be prescribed by law in relation to the existing land office and officers in said Territory.

Register and receiver to be appointed.

Pay, &c.

APPROVED, May 16, 1860.

CHAP. LI.—*An Act to amend the "Act to incorporate the Provident Association of Clerks in the civil Departments of the Government of the United States in the District of Columbia."*

May 22, 1860.

1825, ch. 97.

Vol. vi. p. 337.

1849, ch. 76.

Vol. ix. 767.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the charter of the Provident Association of Clerks be, and the same is hereby, so amended that any member of the Association may, on giving one month's notice to the president and board of officers, withdraw from the Association, and receive out of the funds and assets of the Association such sum as the president and board of officers of the said Association may consider just and equitable; but in no case to exceed the amount he may have contributed, with interest at the rate of six per centum, nor his distributive share of the entire assets, if distributed pro rata to family interest at the time of such withdrawal.

Members may withdraw on notice and receive from assets, &c.

APPROVED, May 22, 1860.

CHAP. LVI.—*An Act to supply Deficiencies in the Appropriations for the Service of the fiscal Year ending the thirtieth of June, eighteen hundred and sixty.*

May 24, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, to supply deficiencies in the appropriations for the fiscal year ending the thirtieth of June, eighteen hundred and sixty, out of any money in the treasury not otherwise appropriated.

Appropriation.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate, viz.:

For the Chaplain of the Senate, seven hundred and fifty dollars.

Chaplain of Senate.

For contingent expenses of the Senate and House of Representatives, miscellaneous items, viz.:

Contingent expenses of Senate and House.

For expenses of select committees, nine thousand dollars; and for the payment of expenses of the several investigating committees of the House of Representatives, forty-eight thousand dollars; and also for the payment of the expenses of witnesses summoned or to be summoned before the Committee on the Judiciary of the House of Representatives during the present session, twelve thousand dollars; and that the said sums shall be added to the miscellaneous item of the contingent fund of the House.

For expenses of the heating and ventilating apparatus, including pay of engineers, fireman, laborers, fuel, oil, tools, three thousand four hundred dollars.

Contingent expenses of the House.

Contingent expenses of the House of Representatives.—For furniture, repairs, and boxes for members, ten thousand dollars.

For horses, carriages, and saddle-horses, four thousand dollars.

For stationery, six thousand dollars.

For laborers, one thousand three hundred dollars.

For folding documents, ten thousand dollars.

For the compensation of the draughtsman and clerks employed on the land maps, clerks to committees, and temporary clerks in the office of the House of Representatives, five thousand dollars: *Provided*, That from and after the thirtieth of June next all employment of draughtsman and clerks upon land maps shall cease.

Employment of draughtsman and clerks on land maps to cease, &c.

For additional pages authorized by the House of Representatives, three thousand three hundred and forty-four dollars.

For miscellaneous items, ten thousand dollars.

For new carpet on the hall of the House of Representatives, four thousand seven hundred and twenty-nine dollars and six cents.

For twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the first session of the Thirty-sixth Congress, thirty-four thousand eight hundred and forty-eight dollars.

For binding twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the first session of the Thirty-sixth Congress, thirteen thousand nine hundred and thirty-nine dollars and twenty cents.

For reporting debates of the first session of the Thirty-sixth Congress, twenty-three thousand dollars.

For the usual additional compensation to the reporters of the House and Senate for the Congressional Globe, for reporting the proceedings of the House and Senate for the first session of the Thirty-sixth Congress, eight hundred dollars each, seven thousand two hundred dollars.

To supply deficiencies in the appropriations for printing, dry-pressing, inserting maps and plates, and binding documents ordered during the Thirty-third, *Thirty-third*, Thirty-fourth, and Thirty-fifth Congresses, nineteen thousand three hundred and eighty-one dollars and ninety-eight cents.

To supply the deficiency in the appropriation for paper required for the printing of the first session of the Thirty-sixth Congress, fifty thousand dollars.

To supply the deficiency in the appropriation for printing required for the first session of the Thirty-sixth Congress, forty thousand dollars.

To provide for the blanks and other printing, and the paper for the same, required preliminary to taking the eighth census, twenty-nine thousand dollars.

For payment of the unpaid expenses incurred in altering the arrangements of the hall of the House of Representatives, under the order of the House, three thousand seven hundred dollars; and the proper accounting officers of the treasury be, and they are hereby directed to settle the accounts of Captain Meigs, late superintendent of the Capitol extension, for his expenditures in altering the arrangements and seats of the hall of the House of Representatives according to the order of the House, and paid by him, according to his vouchers, for such expenditures, not to exceed the sum of fourteen thousand three hundred and seventy-six dollars and ninety-seven cents.

Accounts of Capt. Meigs to be settled.

Department of State.
Mission to Japan.

Department of State.—For compensation to the interpreter to the mission to Japan, from the first January to the thirtieth June, eighteen hundred and sixty, one thousand two hundred and fifty dollars.

For the relief and protection of American seamen in foreign countries, seventy-five thousand dollars. American seamen.

To defray the expenses of such delegates as may be appointed by the President of the United States, on the part of this government, to attend a meeting of the International Statistical Congress, which is to meet in London in July, eighteen hundred and sixty, five thousand dollars. Delegates to International Statistical Congress.

War Department.—For blank books, binding, stationery, and miscellaneous items, in the office of the Surgeon General, two hundred dollars. War Department.

Navy Department.—For the charter of the *Toey-wan*, used in the transportation of the minister to China, to ascend the *Peiho* River, forty-five thousand dollars. Navy Department.

For preparing for publication the *American Nautical Almanac*, five thousand dollars.

For Survey of the Public Lands.—For surveying liabilities incurred by the late surveyor general of Oregon during the fiscal year ending thirtieth June, eighteen hundred and fifty-nine, twenty thousand dollars. Survey of Public Lands.

For surveying liabilities incurred by the late surveyor general of Kansas and Nebraska during the fiscal year ending thirtieth June, eighteen hundred and fifty-nine, twenty thousand dollars.

For surveying liabilities incurred by the late surveyor general of California prior to the thirtieth June, eighteen hundred and fifty-seven, fifty-eight thousand dollars.

To pay *George G. Durham* for twenty-two months' service as a clerk in the office of the Commissioner of Indian Affairs, the sum of twenty-five hundred and sixty-six dollars and fifty-two cents. Payment to George G. Durham.

To supply deficiencies in the appropriations for payment of the late Indian agents in Utah, (*Hurt, Armstrong, Rose, and Bedell*.) upon settlement of their accounts, fifty-three thousand and seven dollars and thirty-five cents. Indian agents in Utah.

APPROVED, May 24, 1860.

CHAP. LVII.—*An Act making Appropriations for the Construction of certain military Roads in the Territory of Washington.* May 25, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be appropriated out of any money in the treasury not otherwise appropriated, the following sums, to be expended, under the direction of the War Department, in the construction of the following named military roads in the Territory of Washington, to wit: Appropriations for military roads.

From Fort Benton to Walla Walla, the sum of one hundred thousand dollars, (\$100,000.) Fort Benton to Walla-Walla.

From Steilacoom to Fort Vancouver, the sum of ten thousand dollars, (\$10,000) to be expended exclusively on that portion between Cowlitz River and Monticello. Steilacoom to Fort Vancouver.

APPROVED, May 25, 1860.

CHAP. LX.—*An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-one, and for other Purposes.* May 26, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-one, namely: Appropriations.

For salaries of envoys extraordinary, ministers, and commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Austria, Brazil, Mexico, China, Chili, Peru, Portugal, Switzerland, Salaries of envoys, &c.

Rome, Naples, Sardinia, Belgium, Holland, Denmark, Sweden, Turkey, New Granada, Bolivia, Ecuador, Venezuela, Guatemala, Nicaragua, Sandwich Islands, Costa Rica, Honduras, Argentine Confederation, and Japan, two hundred and ninety-six thousand five hundred dollars.

Secretaries of
legation, &c.

For salaries of secretaries of legation, forty thousand dollars.

For salaries of assistant secretaries of legation at London and Paris, three thousand dollars.

For salary of the interpreter to the legation to China, five thousand dollars.

For salary of the secretary of legation to Turkey, acting as interpreter, three thousand dollars.

For compensation to the interpreter to the mission to Japan, two thousand five hundred dollars.

Contingent ex-
penses.

For contingent expenses of all the missions abroad, twenty thousand dollars.

For contingent expenses of foreign intercourse, forty thousand dollars.

Barbary powers.

For expenses of intercourse with the Barbary powers, three thousand dollars.

Consulates in
Turkey.

For expenses of the consulates in the Turkish dominions, viz.: interpreters, guards, and other expenses of the consulates at Constantinople, Smyrna, Candia, Alexandria, and Beirut, two thousand five hundred dollars.

American sea-
men.

For the relief and protection of American seamen in foreign countries, two hundred thousand dollars.

For the purchase of blank books, stationery, arms of the United States, seals, presses, flags, and for payment of postages and miscellaneous expenses of the consuls of the United States, thirty thousand dollars.

Office-rent of
consuls general,
&c.

For office rent for those consuls general, consuls, and commercial agents, who are not allowed to trade, including loss by exchange thereon twenty-seven thousand three hundred and seventy dollars.

Salaries of
consuls.

For salaries of consuls general at Quebec, Calcutta, Alexandria, Havana, Constantinople, Frankfort-on-the-Main; consuls at Liverpool, London, Melbourne, Hong Kong, Glasgow, Mauritius, Singapore, Belfast, Cork, Dundee, Demarara, Halifax, Kingston (Jamaica), Leeds, Manchester, Nassau (New Providence), Southampton, Turk's Island, Prince Edward's Island, Havre, Paris, Marseilles, Bordeaux, La Rochelle, Lyons, Moscow, Odessa, Revel, Saint Petersburg, Matanzas, Trinidad de Cuba, Santiago de Cuba, San Juan (Porto Rico), Cadiz, Malaga, Ponce (Porto Rico), Trieste, Vienna, Aix-la-Chapelle, Canton, Shanghai, Fouchou, Amoy, Ningpo, Beirut, Smyrna, Jerusalem, Rotterdam, Amsterdam, Antwerp, Funchal, Oporto, Saint Thomas, Elsinour, Genoa, Basle, Geneva, Messina, Naples, Palermo, Leipsic, Munich, Leghorn, Stuttgart, Bremen, Hamburg, Tangiers, Tripoli, Tunis, Rio de Janeiro, Pernambuco, Vera Cruz, Acapulco, Callao, Valparaiso, Buenos Ayres, San Juan del Sur, Aspinwall, Panama, Laguayra, Honolulu, Lahaina, Cape Town, Falkland Islands, Venice, Stettin, Candia, Cyprus, Batavia, Fayal, Santiago (Cape de Verdes), Saint Croix, Spezzia, Athens, Zanzibar, Bahia, Maranham Island, Para, Rio Grande, Matamoros, Mexico (city), Tampico, Paso del Norte, Tabasco, Paita, Tumbes, Talcahuano, Carthagena, Sabanillo, Omoa, Guayaquil, Cobija, Montevideo, T'hita, Bay of Islands, Apia, Lanthala; commercial agents at San Juan del Norte, Port au Prince, San Domingo (city), St. Paul de Loando (Angola), Monrovia, Gaboon, Cape Haytien, Aux Cayes, and Amoor river, two hundred and sixty-eight thousand seven hundred and fifty dollars.

Interpreters in
China.

For interpreters for the consulates in China, three thousand dollars.

Boundary be-
tween United
States and Brit-
ish possessions.

For compensation of the commissioner, secretary, chief astronomer and surveyor, assistant astronomer and surveyor, clerk, and for provisions,

transportation, and contingencies of the commission to run and mark the boundary line between the United States and the British possessions bounding on Washington Territory, one hundred and fifty thousand dollars.

To enable the President of the United States to carry into effect the act of Congress of third March, eighteen hundred and nineteen, and any subsequent acts now in force for the suppression of the slave trade, forty thousand dollars. Suppression of slave trade.

For expenses incurred under instructions from the Secretary of State, in bringing home from foreign countries persons charged with crime, and expenses incident thereto, ten thousand dollars. Persons charged with crime.

To enable the Secretary of State to defray the cost of a prison ship at Canton, in China, from the first day of January, eighteen hundred and fifty-four, to the first day of January, eighteen hundred and fifty-seven, and for compensation of the marshal of the consular court at Canton from January one, eighteen hundred and fifty-four, to fifteenth December, eighteen hundred and fifty-seven, four thousand seven hundred and sixty dollars, or so much thereof as may be necessary. Prison ship in China.

For compensation of commissioner to China and the consuls at the five ports in China, viz.: Kwang-chow, Amoy, Fu-chow, Ningpo, and Shanghai, from the first of July, eighteen hundred and fifty-five, to the thirty-first of December, eighteen hundred and fifty-six, nine thousand dollars. Commissioner to China and consuls.

APPROVED, May 26, 1860.

CHAP. LXI.—*An Act to settle the Titles to certain Lands set apart for the Use of certain Half-Breed Kansas Indians, in Kansas Territory.* May 26, 1860.

Post, p. 628. Preamble.

Whereas by the sixth article of a treaty made and concluded at the City of St. Louis in the State of Missouri, on the third day of June, eighteen hundred and twenty-five, between the United States of America and the Kansas nation of Indians, there was reserved from the lands ceded by said treaty to the United States by said Kansas nation of Indians, one mile square of land for each of the half-breeds of the Kansas nation named in the said sixth article, which land has been surveyed and allotted to each of the said half-breeds in the order in which they are named in, and in accordance with, the provisions of the said sixth article of said treaty: therefore, Vol. vii. p. 245.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the title, interest and estate of the United States is hereby vested in the said reservees who are now living, to the land reserved, set apart and allotted to them respectively by the said sixth article of said treaty; and in case any of the said reservees named in the said sixth article are deceased and leaving heirs, then all the title, interest or estate of the United States to the land allotted to such deceased reservees, is hereby vested and confirmed in such persons as shall by the Secretary of the Interior be decided to be the heirs of such deceased reservees: but, nothing herein contained shall be construed to give any force, efficacy or binding effect to any contract, in writing or otherwise, for the sale or disposition of any lands named in this act, heretofore made by any of said reservees or their heirs. Reserve by treaty to Kansas Indians.

SEC. 2. *And be it further enacted,* That in case of any of the reservees now living, or the heirs of any deceased reservees, shall not desire to reside upon, or occupy the lands to which such reservees or such heirs are entitled by the provisions of this act, the Secretary of the Interior, when requested by them or either of them so to do, is hereby authorized to sell such lands belonging to those so requesting him, for the benefit of such reservees, or such heirs; and the Secretary of the Interior is also authorized to sell, with the assent of the Kansas nation of Indians the lands The interest of the United States is made to vest in the reservees, &c.

Lands of the reservees may be sold in certain cases, and patents to issue therefor. Lands of the reservees may be sold in certain cases, and patents to issue therefor.

Lands of the reservees may be sold in certain cases, and patents to issue therefor.

allotted to the reservees who are deceased leaving no heirs for the benefit of the living reservees, their heirs, and the heirs of those deceased, equally; said lands to be sold in accordance with such rules and regulations as may be prescribed by the Commissioner of Indian Affairs, and approved by [the] Secretary of the Interior; and patents in the usual form shall be issued to the purchasers of said lands, in accordance with the provisions of this act.

Proceeds of sale to go to the benefit of the reservees.

SEC. 3. *And be it further enacted*, That the proceeds of the land, the sale of which is provided for by this act, shall be paid to the parties entitled thereto, or applied by the Secretary of the Interior for their benefit, in such manner as he may think most advantageous to their interest.

APPROVED, May 26, 1860.

May 26, 1860.

CHAP. LXII.—*An Act to authorize the President of the United States in Conjunction with the State of California, to run and mark the Boundary Lines between the Territories of the United States and the State of California.*

Commission to run boundaries between United States Territories and California. Boundaries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is, authorized and empowered to appoint a suitable person or persons, who, in conjunction with such person or persons as may be appointed on behalf of the State of California for the same purpose, shall run and mark the boundary lines between the Territories of the United States and the State of California; commencing at the point of intersection of the forty-second degree of north latitude with the one hundred and twentieth degree of longitude west from Greenwich, and running south on the line of said one hundred and twentieth degree of west longitude until it intersects the thirty-ninth degree of north latitude; thence running in a straight line in a southeasterly direction to the river Colorado at a point where it intersects the thirty-fifth degree of north latitude.

Landmarks to be placed at corners, &c.

SEC. 2. *And be it further enacted*, That such landmarks shall be established at the said point of beginning, and at the other corners and on the several lines of said boundary as may be agreed on by the President of the United States, or those acting under his authority, and the said State of California or those acting under its authority: *Provided*, That the person or persons appointed and employed on the part and behalf of the State of California are to be paid by the said State: *Provided, further*, that no persons except a superintendent or commissioner shall be appointed or employed in this service by the United States, but such as are required to make the necessary observations and surveys, to ascertain such line and erect suitable monuments thereon, and make return of the same.

California to pay those employed by her.

Who to be employed by the United States.

APPROVED, May 26, 1860.

June 1, 1860.

CHAP. LXIV.—*An Act authorizing the "Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States" to enter a certain Tract of Land in the State of Wisconsin.*

The "Mission Farm" may be entered at \$1.25 per acre.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the "Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States" be, and is hereby, authorized to enter, at the rate of one dollar and twenty-five cents per acre, a certain tract of land known as the "Mission Farm," and numbered as lot number eighteen, on the east bank of Fox River, near Green Bay, State of Wisconsin, having a front on Fox River of six chains, and running eastwardly back from the river, between parallel lines, one hundred and fifty-four and sixty-nine hundredths chains, and containing ninety-two and eighty-one hundredths superficial acres.

APPROVED, June 1, 1860.

CHAP. LXV.—*An Act making Appropriations for the Support of the Military Academy for the Year ending the thirtieth of June, eighteen hundred and sixty-one.*

June 1, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and sixty-one:

Appropriation
for military
academy.

For pay of officers, instructors, cadets, and musicians, one hundred and sixteen thousand and ninety-six dollars.

For commutation of subsistence, four thousand one hundred and sixty-one dollars.

For forage for officers' horses, one thousand four hundred and forty dollars.

For pay in lieu of clothing to officers' servants, sixty dollars.

For current and ordinary expenses, as follows: repairs and improvements, fuel, and apparatus, forage, postage, stationery, transportation, printing, clerks, miscellaneous and incidental expenses, and departments of instruction, thirty-six thousand eight hundred and ninety-five dollars.

For gradual increase and expense of library, one thousand dollars.

For expenses of the board of visitors, four thousand five hundred dollars.

For forage of artillery and cavalry horses, eight thousand six hundred and forty dollars.

For supplying horses for artillery and cavalry practice, one thousand dollars.

For repairs of officers' quarters, five hundred dollars.

For models for the department of cavalry, one hundred dollars.

For extension of water pipes and increase of reservoir, two thousand five hundred dollars.

For targets and batteries for artillery exercise, one hundred and fifty dollars.

For furniture for hospital for cadets, one hundred dollars.

For annual repairs of gas pipes and retorts, five hundred dollars.

For warming apparatus for academic building, two thousand seven hundred and fifty dollars.

For materials for quarters for subaltern officers, three thousand five hundred dollars.

APPROVED, June 1, 1860.

CHAP. LXVI.—*An Act to amend an Act entitled an "Act to organize an Institution for the Insane of the Army and Navy, and of the District of Columbia in the said District."*

June 1, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section four of the act of March the third, one thousand eight hundred and fifty-five, entitled an "act to organize an institution for the insane of the army and navy, and of the District of Columbia in the said District" be, and the same is hereby amended, so as to read as follows:

1855, ch. 199, § 4.
Vol. x. p. 682.

SEC. 4. That the order of the Secretary of War and that of the Secretary of the Navy, and that of the Secretary of the Treasury, shall authorize the Superintendent to receive insane persons belonging to the army and navy and revenue cutter service respectively, and keep them in custody until they are cured, or removed by the same authority which ordered their reception.

Insane persons
of the army, navy
and revenue
cutter service
may be kept in
custody until
cured, &c.

APPROVED, June 1, 1860.

CHAP. LXVII.—*An Act to increase and regulate the Pay of the Navy of the United States.*

June 1, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage

1862, ch. 183,
§§ 15-20. Post,
pp. 586, 587.
Pay of the Navy.

of this act the annual pay of the officers of the navy, on the active list, hereinafter named, shall be as follows :

Captains.

Captains.—The senior flag officer, created under and by virtue of an act of Congress approved March second, eighteen hundred and fifty-seven, shall receive four thousand five hundred dollars.

Post, p. 565.

Captains when commanding squadrons, five thousand dollars.

All other captains on duty at sea, four thousand two hundred dollars.

Captains on other duty, three thousand six hundred dollars.

When on leave or waiting orders, three thousand dollars.

Commanders.

Commanders.—Every commander on duty at sea, for the first five years after the date of his commission, two thousand eight hundred and twenty-five dollars.

For the second five years after the date of his commission, three thousand one hundred and fifty dollars.

Every commander on other duty, for the first five years after the date of his commission, two thousand six hundred and sixty-two dollars.

For the second five years after the date of his commission, two thousand eight hundred and twenty-five dollars.

All other commanders, two thousand two hundred and fifty dollars.

Lieutenants commanding.

Lieutenants commanding at sea, two thousand five hundred and fifty dollars.

Lieutenants.

Lieutenants.—Every lieutenant on duty at sea, one thousand five hundred dollars.

After he shall have seen seven years' sea-service in the navy, one thousand seven hundred dollars.

After he shall have seen nine years' sea-service, one thousand nine hundred dollars.

After he shall have seen eleven years' sea-service, two thousand one hundred dollars.

After he shall have seen thirteen years' sea-service, two thousand two hundred and fifty dollars.

Every lieutenant on other duty shall receive one thousand five hundred dollars.

After he shall have seen seven years' sea-service in the navy, one thousand six hundred dollars.

After he shall have seen nine years' sea-service, one thousand seven hundred dollars.

After he shall have seen eleven years' sea-service, one thousand eight hundred dollars.

After he shall have seen thirteen years' sea-service, one thousand eight hundred and seventy-five dollars.

Every lieutenant on leave or waiting orders, one thousand two hundred dollars.

After he shall have seen seven years' sea-service, in the navy, one thousand two hundred and sixty-six dollars.

After he shall have seen nine years' sea-service, one thousand three hundred and thirty-three dollars.

After he shall have seen eleven years' sea-service, one thousand four hundred dollars.

After he shall have seen thirteen years' sea-service, one thousand four hundred and fifty dollars.

Chaplains.

Chaplains.—Chaplains shall be paid as lieutenants.

Every chaplain shall be permitted to conduct public worship according to the manner and forms of the church of which he may be a member.

Every chaplain retained in the service shall be required to report annually, to the Secretary of the Navy, the official services performed by him.

Masters.

Masters.—Every master in the line of promotion, when on duty as such at sea, one thousand two hundred dollars.

When on other duty, one thousand one hundred dollars.

When on leave or waiting orders, eight hundred and twenty-five dollars.

Passed Midshipmen.—Every passed midshipman, when on duty as such at sea, one thousand dollars. Passed midshipmen.

When on other duty, eight hundred dollars.

When on leave or waiting orders, six hundred and fifty dollars.

Midshipmen.—Every midshipman at sea, five hundred and fifty dollars. Midshipmen.

When on other duty, five hundred dollars.

When on leave of absence or waiting orders, four hundred and fifty dollars.

Surgeons.—Every surgeon on duty at sea, for the first five years after the date of his commission as surgeon, two thousand two hundred dollars. Surgeons.

For the second five years after the date of his commission as surgeon, two thousand four hundred dollars.

For the third five years after the date of his commission as surgeon, two thousand six hundred dollars.

For the fourth five years after the date of his commission as surgeon, two thousand eight hundred dollars.

For twenty years and upwards after the date of his commission as surgeon, three thousand dollars.

Fleet surgeons, three thousand three hundred dollars.

Every surgeon on other duty, for the first five years after the date of his commission as surgeon, two thousand dollars.

For the second five years after the date of his commission as surgeon, two thousand two hundred dollars.

For the third five years after the date of his commission as surgeon, two thousand four hundred dollars.

For the fourth five years after the date of his commission as surgeon, two thousand six hundred dollars.

For twenty years after the date of his commission as surgeon, two thousand eight hundred dollars.

Every surgeon on leave or waiting orders for the first five years after the date of his commission as surgeon, one thousand six hundred dollars.

For the second five years after the date of his commission as surgeon, one thousand eight hundred dollars.

For the third five years after the date of his commission as surgeon, one thousand nine hundred dollars.

For the fourth five years after the date of his commission as surgeon, two thousand one hundred dollars.

For twenty years and upwards after the date of his commission as surgeon, two thousand three hundred dollars.

Passed Assistant Surgeons.—Every passed assistant surgeon on duty at sea, one thousand five hundred dollars. Passed assistant surgeons.

When on other duty, one thousand four hundred dollars.

When on leave or waiting orders, eleven hundred dollars.

Assistant Surgeons.—Every assistant surgeon on duty at sea, one thousand two hundred and fifty dollars. Assistant surgeons.

When on other duty, one thousand and fifty dollars.

When on leave or waiting orders, eight hundred dollars.

Pursers.—Every purser on duty at sea, for the first five years after the date of his commission, two thousand dollars. Pursers.

For the second five years after the date of his commission, two thousand four hundred dollars.

For the third five years after the date of his commission, two thousand six hundred dollars.

For the fourth five years after the date of his commission, two thousand nine hundred dollars.

For twenty years and upwards after the date of his commission, three thousand one hundred dollars.

Every purser on other duty, for the first five years after the date of his commission, one thousand eight hundred dollars.

For the second five years after the date of his commission, two thousand one hundred dollars.

For the third five years after the date of his commission, two thousand four hundred dollars.

For the fourth five years after the date of his commission, two thousand six hundred dollars.

For twenty years and upwards after the date of his commission, two thousand eight hundred dollars.

Every purser on leave or waiting orders, for the first five years after the date of his commission, one thousand four hundred dollars.

For the second five years after the date of his commission, one thousand six hundred dollars.

For the third five years after the date of his commission, one thousand eight hundred dollars.

For the fourth five years after the date of his commission, two thousand dollars.

For twenty years and upwards after the date of his commission, two thousand two hundred and fifty dollars.

Professors of
Mathematics.

Professors of Mathematics.—Every professor of mathematics on duty, one thousand eight hundred dollars.

When on leave or waiting orders, nine hundred and sixty dollars.

Engineers.

Engineers.—Every chief engineer on duty, for the first five years after the date of his commission, one thousand eight hundred dollars.

For the second five years after the date of his commission, two thousand two hundred dollars.

For the third five years after the date of his commission, two thousand four hundred and fifty dollars.

After fifteen years after the date of his commission, two thousand six hundred dollars.

Every chief engineer on leave or waiting orders for the first five years after the date of his commission, one thousand two hundred dollars.

For the second five years after the date of his commission, one thousand three hundred dollars.

For the third five years after the date of his commission, one thousand four hundred dollars.

After fifteen years after the date of his commission, one thousand five hundred dollars.

Every first assistant engineer on duty, one thousand two hundred and fifty dollars.

While on leave or waiting orders, nine hundred dollars.

Every second assistant engineer on duty, one thousand dollars.

While on leave or waiting orders, seven hundred and fifty dollars.

Every third assistant engineer on duty, seven hundred and fifty dollars.

While on leave or waiting orders, six hundred dollars.

Warrant
officers.

Warranted Officers.—Every boatswain, gunner, carpenter, and sailmaker, on duty at sea, for the first three years' sea-service after the date of his warrant, one thousand dollars.

1863, ch. 118, § 6.
Post, p. 818.

For the second three years' sea-service after the date of his warrant, one thousand one hundred and fifty dollars.

For the third three years' sea-service after the date of his warrant, one thousand two hundred and fifty dollars.

For the fourth three years' sea-service after the date of his warrant, one thousand three hundred and fifty dollars.

For twelve years' sea-service and upwards, one thousand four hundred and fifty dollars.

WHEN ON OTHER DUTY.

For the first three years of sea-service after the date of warrant, eight hundred dollars.

For the second three years' sea-service after the date of his warrant, nine hundred dollars.

For the third three years' sea-service after the date of his warrant, one thousand dollars.

For the fourth three years' sea-service after the date of his warrant, one thousand one hundred dollars.

For twelve years' sea-service and upwards, one thousand two hundred dollars.

WHEN ON LEAVE OR WAITING ORDERS.

For the first three years' sea-service after the date of his warrant, six hundred dollars.

For the second three years' sea-service after the date of his warrant, seven hundred dollars.

For the third three years' sea-service after the date of his warrant, eight hundred dollars.

For the fourth three years' sea-service after the date of his warrant, nine hundred dollars.

For twelve years' sea-service and upwards, one thousand dollars.

SEC. 2. *And be it further enacted*, That nothing in this act contained shall be so construed as to increase or modify the present pay of chiefs of bureaus in the Navy Department, with whom shall be classed the present Superintendent of the Naval Observatory: *Provided*, That the officer now charged with experiments in gunnery at the navy yard, Washington, shall receive the sea-service pay of the grade now next above him.

Pay of chiefs of bureaus and Superintendent of Naval Observatory not altered. Proviso.

SEC. 3. *And be it further enacted*, That hereafter no service shall be regarded as sea-service but such as shall be performed at sea under the orders of a department, and in vessels employed by authority of law.

What to constitute sea-service.

SEC. 4. *And be it further enacted*, That nothing in this act contained shall be held to modify or affect the existing power of the Secretary of the Navy to furlough officers or to affect the furlough pay.

Right of Secretary to furlough officers, &c., not affected.

SEC. 5. *And be it further enacted*, That the increased pay hereinbefore provided for masters shall attach to masters not in the line of promotion, whether on the active or reserved list; and officers on the reserved list, when called into active service, shall receive the pay of their respective grades as herein provided during the term of such service: *Provided*, That nothing herein contained shall be construed to change or modify the present pay of officers on the reserved list, either on leave or furlough.

Increased pay of masters, to whom to attach. Pay of officers on reserved list when called into active service. Pay of those on reserved list not altered hereby.

APPROVED, June 1, 1860.

CHAP. LXXVII.—*An Act directing the Conveyance of a Lot of Ground for the Use of the Public Schools of the City of Washington.*

June 5, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Public Buildings be directed to convey to the corporation of the city of Washington, in the District of Columbia, all the right, title, and interest of the United States in and to that certain piece or parcel of land marked and designated upon the map of said city as lot numbered fourteen, in square numbered two hundred and fifty-three, for the use of the public schools thereof, and for no other purpose: *Provided*, That said lot shall not be sold, assigned, or conveyed or diverted, by the said corporation, for any other purpose than the one contemplated by this act.

A lot of land for schools to be conveyed to the city of Washington.

Proviso.

APPROVED, June 5, 1860.

June 7, 1860.

CHAP. LXXIX.—*An Act for the Relief of certain Settlers in the State of Iowa.*

Lands heretofore reserved for Fort Atkinson and an Indian agency, made subject to the ordinary disposition of the public lands.

1841, ch. 16.
Vol. v. p. 453.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the east half of section eight, section seventeen, and the east half of section eighteen, and section thirty-three, section thirty-four, the southwest quarter of section twenty-seven and the southeast quarter of section twenty-eight, in township ninety-six north, of range nine west, in the State of Iowa, formerly reserved for Fort Atkinson and an Indian agency, and since released and abandoned, as being no longer needed for public uses, shall be, and the same are hereby declared to be, subject to the ordinary disposition of the public lands, in the same manner and on the same conditions as are provided by law, and that such persons as may have settled thereon prior to the passage of this act, and who would have been entitled to the right of preëmption under the act of September four, eighteen hundred and forty-one, had the reservation not been made, shall be entitled to preëmpt their claims in accordance with the provisions of said act, by making proof, payment, and entry at the proper district office, within twelve months after its approval: *Provided,* That if two or more of such persons were actually residing upon the same quarter *quarter* section, or any smaller legal subdivision, at the date of the abandonment of said reservation, the same may be entered by them jointly: *Provided further,* That no declaratory statement shall be required of said settlers.

APPROVED, June 7, 1860.

June 7, 1860.

CHAP. LXXXIII.—*An Act for the Relief of John W. Taylor and certain other Assignees of Preemption Land Locations.*

Assignments of certain pre-emption bounty land-warrants made valid and patents to issue.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all assignments of pre-emption bounty land-warrant locations at any of the land offices in the United States, made in good faith since the nineteenth day of October, eighteen hundred and fifty-two, and prior to the twenty-first of May, eighteen hundred and fifty-six, under instructions from the Commissioner of the General Land Office of the former date, be, and the same are hereby, declared valid; and the Secretary of the Interior is hereby authorized to cause patents to be issued in the name of the assignee on all such locations as now remain suspended and have not been patented.

APPROVED, June 7, 1860.

June 9, 1860.

CHAP. LXXXIV.—*An Act to pay to the State of Missouri the Amount expended by said State in repelling the Invasion of the Osage Indians.*

Payment to Missouri, for repelling the Osage Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, directed to pay to the State of Missouri, out of any money in the treasury not otherwise appropriated, the sum of nineteen thousand and eighty-four dollars and eight cents, being the amount of money expended by said State in repelling the invasion of the Osage Indians in eighteen hundred and thirty-seven.

APPROVED, June 9, 1860.

June 9, 1860.

CHAP. LXXXV.—*An Act to change the Times for holding the Terms of the District Court of the United States for the Northern District of Alabama.*

Terms of district court in northern district of Alabama.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the terms of the district court of the United States for the northern district of Alabama shall commence on the third Mondays of May and November, respectively, in every year, instead of the times now provided by law.

SEC. 2. *And be it further enacted,* That every process, bond, recogni-

zance or obligation which has been, or may be, made returnable to the said court on the second Monday of November next, shall be returnable on the third Monday of November next, and shall have the same force and effect as if it had been made returnable on the third Monday of November next.

Process returnable to new term.

SEC. 3. *And be it further enacted*, That the said court in term time, or the judge of said court in vacation, may order a special term of said court to be held at such time as the court or judge may appoint. Notice of the time of holding such special term shall be given by the clerk of the court, by advertisement in some newspaper published in the city of Huntsville, at least once a week for four weeks next preceding the time appointed for holding such special term.

Special terms of the court may be held after notice given.

SEC. 4. *And be it further enacted*, That all laws and parts of laws contrary to the provisions of this act be, and the same are hereby repealed.

Repealing clause.

APPROVED, June 9, 1860.

CHAP. CXIV.—*An Act to liquidate the unadjusted Contracts of the Tennessee River Improvement.*

June 12, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all contracts made by the duly authorized officers of the Government, appointed under the act of thirty-second Congress making an appropriation of fifty thousand dollars for the improvement of the Tennessee River, shall be audited by the accounting officers of the treasury, and paid out of any money in the treasury not otherwise appropriated.

Certain contracts to be audited and paid. 1852, ch. 194. Vol. x. p. 60.

APPROVED, June 12, 1860.

CHAP. CXV.—*An Act to authorize the Levy Court to issue Tavern and other Licenses in the District of Columbia.*

June 12, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authority now exercised by the circuit court of the county of Washington, in the District of Columbia, under and by virtue of the ninth section of the act of Congress, entitled "An act additional to and amendatory of an act entitled 'An act concerning the District of Columbia,'" approved May third, eighteen hundred and two, so far as the same relate to the licensing taverns and ordinaries, be, and the same is hereby, so transferred as to authorize the levy court of Washington county, in the District of Columbia, to grant licenses to keepers of taverns and ordinaries, to hawkers and pedlars, billiard tables, bowling saloons, and auctioneers, in that part of the county of Washington beyond the corporate limits of the cities of Washington and Georgetown, under such restrictions and penalties as the said levy court may by law deem expedient.

1863, ch. 106, § 11. Post, p. 803.

Levy court may issue tavern and other licenses.

1802, ch. 52, § 9. Vol. ii. p. 195.

APPROVED, June 12, 1860.

CHAP. CXVI.—*An Act to reimburse the Corporation of Georgetown, in the District of Columbia, a Sum of Money advanced towards the Construction of the Little Falls Bridge.*

June 12, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of four thousand six hundred dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to repay to the corporation of Georgetown, in the District of Columbia, all moneys heretofore advanced by the said corporation for and towards the construction of the bridge over the Potomac, at the point known as the Little Falls. And the said corporation of Georgetown, by accepting the provisions of this act, shall waive and surrender all further claim or demand on the Government of the United States, founded on any advancement of money or other thing towards the object herein specified for any purpose

Georgetown to be reimbursed for money advanced to construct bridge over the Potomac.

Act to take effect from its passage.

whatsoever. This act shall commence and be in force from and after its passage.

APPROVED, June 12, 1860.

June 12, 1860.

CHAP. CXVII.—*An Act to incorporate the Grand Lodge of the Independent Order of Odd Fellows of the District of Columbia.*

Grand Lodge of Odd Fellows incorporated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Thaw, George Brown, C. J. Wright, John T. Bangs, Martin Johnson, and others, the officers and members of the Grand Lodge of the Independent Order of Odd Fellows of the District of Columbia, and their successors, be, and they are hereby, incorporated and made a body politic and corporate, by the name of the Grand Lodge of the Independent Order of Odd Fellows of the District of Columbia; and by that name may sue and be sued, plead and be impleaded, in any court of law or equity, and may have and use a common seal, and the same change at pleasure, and be entitled to use and exercise the powers, rights, and privileges incident to such corporation.

Powers of corporation.

Corporation may hold real estate, &c.

SEC. 2. *And be it further enacted,* That the said corporation shall be capable of taking and holding real and personal estate not exceeding in value the sum of fifty thousand dollars; which estate, personal and real, shall never be divided among the members of the corporation, but shall descend to their successors, for the promotion of the benevolent purposes of said corporation.

may make, &c., by-laws.

SEC. 3. *And be it further enacted,* That this corporation shall have power to alter and amend their constitution and by-laws at pleasure: *Provided,* That they do not conflict with the laws of the United States, or the laws of the corporation of Washington City.

shall not issue notes, &c.

SEC. 4. *And be it further enacted,* That said corporation shall not exercise banking privileges, or issue or put in circulation bank notes, or any note, paper, token, scrip, or device to be used as currency.

Act to be in force until Congress otherwise directs.

SEC. 5. *And be it further enacted,* That this act shall continue in force until Congress shall by law determine otherwise.

APPROVED, June 12, 1860.

June 12, 1860.

CHAP. CXX. *An Act to dissolve the "Washington's Manual Labor School and Male Orphan Asylum Society of the District of Columbia," and to authorize the Transfer of its Effects to the "Columbia Institution for the Instruction of the Deaf and Dumb and the Blind."*

One corporation may transfer its funds, &c., to the other.

1842, ch. 41.

Vol. vi. p. 830.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the trustees of "Washington's Manual Labor School and Male Orphan Asylum Society of the District of Columbia," incorporated by an act of Congress approved on the thirteenth day of June, eighteen hundred and forty-two, be and they are hereby authorized and empowered, by deed or other instrument in writing, to transfer all their funds and property of every description to the "Columbia Institution for the instruction of the Deaf and Dumb and the Blind," incorporated by an act of Congress approved February sixteen, eighteen hundred and fifty-seven, on such terms and conditions as may be agreed upon by said corporate bodies and incorporated in such deed or instrument of writing.

1857, ch. 46.

Vol. xi. p. 161.

Deed to be recorded.

SEC. 2. *And be it further enacted,* That the said deed of transfer or instrument of writing shall be recorded in the recorder's office for land titles, in the county of Washington, and District of Columbia, and the terms and conditions of said deed shall be as obligatory upon said Columbia Institution as if they formed a part of its charter; and from the date of the record thereof, as aforesaid, the trustees of "Washington's Manual Labor School and Male Orphan Asylum Society" shall be forever thereafter absolved from their trust, and the act of June thirteen, eighteen

hundred and forty-two, conferring upon them corporate powers and privileges, shall be thenceforward repealed: *Provided*, That all the debts and pecuniary liabilities of the said "Washington's Manual Labor School and Male Orphan Asylum shall be transferred to, assumed by, and be debts of the said "Columbia Institution for the instruction of the Deaf and Dumb and the Blind," which shall be responsible therefor, and suits at law or in equity may be commenced against said last-mentioned corporation the same as if said debts had been originally incurred by it.

Proviso as to debts, &c., of old corporation.

APPROVED, June 13, 1860.

CHAP. CXXI.—*An Act extending the Charter incorporating the "German Benevolent Society" of Washington City, in the District of Columbia, approved July twenty-seventh eighteen hundred and forty-two.*

June 13, 1860.

1842, ch. 81.
Vol. vi. p. 839.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, all those persons who are, or shall hereafter become, members of the "German Benevolent Society," of the city of Washington, District of Columbia, be, and they are hereby, made a body corporate and politic, by the name and style of the "German Benevolent Society," and shall so continue until the third day of March, one thousand eight hundred and eighty; and by that name shall have perpetual succession, and by that name may sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in courts of law and equity and in all other places whatsoever; and by that name may make, have, and use a common seal, and the same may break, alter, and renew at pleasure, and shall have power to ordain, establish, and put in execution such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to the laws and Constitution of the United States; and, generally, to do and execute all acts necessary or proper for the objects of said corporation, subject to the limitations of this act.

German Benevolent Society incorporated.

Powers and duties of the corporation.

SEC. 2. *And be it further enacted*, That the monthly contributions and all other moneys received on account of the society, may, from time to time, be invested in the public stocks of the United States, in loans to individuals, or in stocks of any incorporated banking institution or corporation, and the moneys so invested or that may be deposited shall be drawn out of the bank or place of deposit only on the order of the treasurer, countersigned by the secretary and approved by the president: *Provided, nevertheless*, That the said society or body politic shall not, at any one time, hold or possess property, real, personal, or mixed, exceeding in total value the sum of twenty thousand dollars: *And provided*, That the annual interest on the capital of the company, or the whole or any part of the capital, may, from time to time, be applied to aid and succor the poor and destitute of the society, or to such other charitable objects as the company may select.

Funds of the Society, how to be invested.

Limit to property.

How interest may be applied.

SEC. 3. *And be it further enacted*, That it shall not be lawful for the said corporation to deal or trade in the manner of a bank, nor issue any note in the nature of a bank note, nor transact any other kind of business, or deal in any other manner or thing than is expressly authorized by the second section of this act; and any officer or officers who shall have assented to any such dealing or trade shall, on conviction thereof in the proper court, forfeit and pay the sum of five hundred dollars, one half to the use of the poor of the city of Washington, District of Columbia, and the other half to the use of the person who may prosecute the same: *Provided, always*, That Congress may, at any time, amend, alter, or annul this act.

Corporation not to act as a bank, nor issue notes, &c., under penalty.

Congress may amend, &c., this act.

APPROVED, June 13, 1860.

June 13, 1860.

CHAP. CXXII.—An Act to incorporate the Proprietors of Prospect Hill Cemetery.

Prospect Hill Cemetery incorporated.

Powers and duties of corporation.

Land set apart as a cemetery, and corporation may receive bequests, &c., therefor.

Officers of corporation, their powers and duties.

Streets, &c., not to be opened through cemetery, &c.

Proviso.

Wilfully destroying or mutilating tomb, monument, fence, shrub, &c., how punished.

Officers to hold office until successors are elected.

Burial lots not subject to debts and stockholders not subject to taxation.

Return of interments to be made.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Augustus E. L. Keese, John G. Stork, Fred Heider, John Walter, John Guttensohn, B. Ostermeyer, Christopher Friess, and George Shultz, the present members of the German Evangelical Society, and their successors in said society, be, and they are hereby, created a body politic and corporate, by the name and title of the Prospect Hill Cemetery, in the District of Columbia, and by that name shall have perpetual succession, and shall be able and liable to sue and be sued in any court of law and equity, may have and use a common seal, and shall have power to purchase and hold not exceeding one hundred acres of land in the District of Columbia, north of the limits of the city of Washington, [and] to sell and dispose of such parts of said land as may not be wanted for the purpose of a cemetery: *Provided,* That at least seventeen contiguous acres shall be forever appropriated and set apart as a cemetery, with authority to said corporation to receive gifts and bequests for the purpose of ornamenting and improving said cemetery, and to hold such personal property as may be requisite to carry out this act.

SEC. 2. *And be it further enacted,* That the affairs of said corporation shall be conducted by a president, secretary, and six directors, who shall be elected annually by a majority of the votes of said society; the said president, secretary and directors, to fill all vacancies in their own body, and shall have power to lay out and ornament the grounds; remove and alter old buildings, and erect new ones, to lay out and sell, or dispose of burial lots; to appoint all necessary officers and agents, and fix their several duties and compensation; and to make such by-laws, rules and regulations, as they may deem proper for conducting the affairs of the corporation, for the government of lot holders and visitors to the cemetery, and for the transfer of stock, and the evidence thereof. In all elections held under this act, each proprietor shall be entitled to one vote.

SEC. 3. *And be it further enacted,* That no streets, lanes, alleys, roads, or canals, of any sort, shall be opened through the property of said corporation exclusively used and appropriated to the purpose of a cemetery: *Provided,* That nothing herein contained shall authorize said corporation to obstruct any public road, or street, or lane, or alley, now actually opened and used as such.

SEC. 4. *And be it further enacted,* That any person who shall wilfully destroy, mutilate, deface, injure, or remove any tomb, monument, gravestone or other structure placed in said cemetery, or any fence, railing or work for protection or ornament of said cemetery, or any tomb, monument, gravestone or other structure thereon, or shall wilfully destroy, cut, break, or remove any tree, shrub or plant within the limits of said cemetery, shall be considered guilty of a misdemeanor, and on conviction thereof before any justice of the peace of the county of Washington, shall be punished by fine, at the discretion of the justice, according to the aggravation of the offence, of not less than five nor more than fifty dollars.

SEC. 5. *And be it further enacted,* That until an election be held under the provisions of this act, the eight last named persons in section first shall be the managers of said corporation, and that all officers shall hold their respective offices until their successors shall be elected or appointed.

SEC. 6. *And be it further enacted,* That burial lots in said cemetery shall not be subject to the debts of the stockholders thereof, and the land of the company dedicated to the purpose of a cemetery shall not be subject to taxation of any kind.

SEC. 7. *And be it further enacted,* That the said corporation shall provide for the return, from time to time, to the corporation of Washington, reports of all interments made in said cemetery of persons who may have died within the limits of the said corporation of Washington in such

manners and according to such forms as may be prescribed, from time to time, by the corporation of Washington.

SEC. 8. *And be it further enacted*, That a certificate under seal of the corporation, of the ownership of any lot aforesaid, shall, in all respects, have the same effect as any conveyance from said corporation of said lot would have if executed, acknowledged, and recorded, as conveyances of real estate are required to be.

Certificate of lot to have same effect as deed.

SEC. 9. *And be it further enacted*, That nothing in this act shall be so construed as to authorize the said corporation to issue any note, token, device, or scrip, or other evidence of debt, to be used as currency.

Corporation not to issue notes, &c., as currency.

SEC. 10. *And be it further enacted*, That this act shall take effect from the passage thereof.

When act takes effect.

SEC. 11. *And be it further enacted*, That it may be lawful for Congress hereafter to alter, modify, or repeal the foregoing act.

Congress may amend, &c., this act.

SEC. 12. *And be it further enacted*, That each of the stockholders in the said company shall be held liable in his or her individual capacity, for all the debts and liabilities of the said company, however contracted or incurred, to be recovered by suit, as other debts or liabilities, before the court or tribunal having jurisdiction of the case.

Stockholders individually liable for debts.

APPROVED, June 13, 1860.

CHAP. CXXVIII.—*An Act to amend an Act entitled an Act to define and regulate the Jurisdiction of the District Courts of the United States in California in Regard to the Survey and Location of confirmed Private Land Claims.*

June 14, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the surveyor-general of California shall, in compliance with the thirteenth section of an act entitled "An act to ascertain and settle [the] private land claims in the State of California," approved March three, eighteen hundred and fifty-one, have caused any private land claim to be surveyed, and a plat to be made thereof, he shall give notice that the same has been done, and the survey and plat approved by him, by a publication once a week for four weeks in two newspapers, one published in the city of San Francisco, and one of which the place of publication is nearest the land, if the land is situated in the northern district of California; and once a week for four weeks in two newspapers, one published in Los Angeles, and one of which the place of publication is nearest the land, if the land is situated in the southern district of California; and until the expiration of such time, the survey and plat shall be retained in his office, subject to inspection.

Notice of survey of private land claim and approval of plat thereof by the surveyor-general to be published. 1851, ch. 41. Vol. ix. p. 631.

SEC. 2. *And be it further enacted*, That the district courts of the United States for the northern and southern districts of California are hereby authorized, upon the application of any party interested, to make an order requiring any survey of a private land claim within their respective districts to be returned into the district court for examination and adjudication, and on the receipt of said order, duly certified by the clerk of either of said courts, it shall be the duty of the surveyor-general to transmit said survey and plat forthwith to the said court.

District court may order survey of private land claim to be returned into court, &c.

SEC. 3. *And be it further enacted*, That said order shall be granted by said courts on the application of any party whom the district courts, or the judge thereof, in vacation, shall deem to have such an interest in the survey and location of a land claim, as to make it just and proper, that he should be allowed to take testimony and to intervene for his interest therein; and if objections to the survey and location shall be made on the part of the United States, the order to return the survey into court shall be made on the motion of the district attorney founded on sufficient affidavits; and if the application for such order is made by other parties claiming to be interested in, or that their rights are affected by, such survey and location, the court, or the judge in vacation, shall proceed summarily, on affidavits or otherwise, to inquire into the fact of such

Order to be granted in discretion of court, and on whose application.

interest, and shall, in its discretion, determine whether the applicant has such an interest therein, as under the circumstances of the case, to make it proper that he should be heard in opposition to the survey, and shall grant or refuse the order to return the survey and location, as shall be just: *Provided, however,* That all parties claiming interest under pre-emption, settlement, or other right or title derived from the United States, shall not be permitted to intervene separately; but the rights and interests of said parties shall be represented by the district attorney of the United States, intervening in the name of the United States, aided by counsel acting for said parties jointly if they think proper to employ such counsel; *And provided further,* That before proceeding to take the testimony, or to determine on the validity of any objection so made to the survey and location as aforesaid, the said courts shall cause notice to be given, by public advertisement, or in some other form to be prescribed by their rules, to all parties in interest, that objection has been made to such survey and location, and admonishing all parties in interest to intervene for the protection of such interest; and the said courts shall adopt rules providing for the prompt and summary decision of all controversies on surveys and locations that may arise under the provisions of this act.

Parties claiming under the United States how to intervene.

Notice to be given before testimony is taken.

Courts to make rules, &c.

When parties interested may take testimony and how.

Court to decide on proof.

Surveyor-general to make survey conform to decree of court.

When surveyor-general is to send plat or survey to general land officer, and patent to issue.

Appeal from decree of court, how made.

Effect of such plat and survey.

Former surveys and locations made subject to this act,

except, &c.

Compensation of the judges.

1851, ch. 41, Vol. ix. p. 631.

SEC. 4. *And be it further enacted,* That when on the application of the party or parties interested as aforesaid, in said survey and location, the same shall be returned into court, the said parties may proceed to take testimony as to any matters necessary to show the true and proper location of the claim; such testimony to be taken in such manner, by deposition or otherwise, or by commission, as the court may direct, and, on hearing the allegations and proofs, the court shall render judgment thereon; and if, in its opinion, the location and survey are erroneous, it is hereby authorized to set aside and annul the same, or correct and modify it; and it is hereby made the duty of the surveyor-general, on being served with a certified copy of the decree of said court, forthwith to cause a new survey and location to be made, or to correct and reform the survey and location already made, so as to conform to the decree of the district court, to whom it shall be returned for confirmation and approval.

SEC. 5. *And be it further enacted,* That when, after publication as aforesaid, no application shall be made to the said court for the said order, or when said order has been refused, or when an order shall have been obtained as aforesaid, and when the district court by its decree shall have finally approved said survey and location, or shall have reformed or modified the same, and determined the true location of the claim, it shall be the duty of the surveyor-general to transmit, without delay, the plat or survey of the said claim to the General Land Office, and the patent for the land as surveyed shall forthwith be issued therefor, and no appeal shall be allowed from the order or decree as aforesaid of the said district court, unless applied for within six months from the date of the decree of said district courts, but not afterwards; and the said plat and survey so finally determined by publication, order, or decree, as the case may be, shall have the same effect and validity in law as if a patent for the land so surveyed had been issued by the United States.

SEC. 6. *And be it further enacted,* That all surveys and locations heretofore made and approved by the surveyor-general of California, which have been returned into the said district courts, or either of them, or in which proceedings are now pending for the purpose of contesting or reforming the same, are hereby made subject to the provisions of this act, except that in the cases so returned or pending no publication shall be necessary on the part of the surveyor-general.

SEC. 7. *And be it further enacted,* That, for the performance of the duties imposed by this act, and the act entitled "An act to ascertain and settle [the] private land claims in the State of California, passed March third eighteen hundred and fifty-one," there shall be allowed to the judges

of the northern and southern districts of California, as follows: To the judge of the northern district such a sum as will, when added to his fixed and permanent salary allowed by law and received by him, make his compensation amount to the sum of six thousand dollars per annum, and such additional compensation to be computed from the first day of January, eighteen hundred and fifty-two; and to the judge of the southern district such a sum as will, when added to his fixed and permanent salary allowed by law and received by him, make his compensation amount to the sum of thirty-five hundred dollars, such compensation to be computed and allowed from the date of his appointment to said office, and to continue each for and during the performance of the additional services required to be performed by this act, but not exceeding two years from and after the passage of this act.

Judge of northern district.

southern district.

SEC. 8. *And be it further enacted*, That all costs of surveys and publications, under the provisions of this act, shall be charged to and paid by the United States, and costs of litigation in the district courts shall abide the result thereof, and the court in its discretion may require security therefor.

Costs of survey and publication to be paid by the United States.

SEC. 9. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repealing clause.

APPROVED, June 14, 1860.

CHAP. CXXIX.—*An Act to incorporate the National Gallery and School of Arts in the District of Columbia.* June 15, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there may be established in the District of Columbia by the persons hereinafter named a gallery and school of arts, for the purpose of promoting the improvement of the fine arts, and their application to patriotic purposes, by means of exhibitions, libraries, museum, instruction, and any other practicable operations.

Gallery and school of arts established.

SEC. 2. *And be it further enacted*, That the said institution shall be under the management, direction, and government of a number of trustees, not exceeding twenty-five, to be elected annually by the contributors to the said gallery and school, in such manner and under such limitations and restrictions as may be provided in the by-laws thereof; and the first trustees of the said institution shall consist of the following persons, namely: Horatio Stone, John Cranch, J. M. Stanly, J. G. Bruff, Robert Bogle, W. W. Corcoran, A. F. Cunningham, T. G. Clemens, J. G. Berret, F. P. Stanton, A. Thomas Smith, H. G. Fant, Charles Eames, B. Ogle Taylor, George W. Riggs, Charles Haskins, Seth Eastman, Samuel F. Vinton, and L. D. Gale, which said trustees and their successors shall be a body politic and corporate, with perpetual succession, by the name and style of "The National Gallery and School of Arts;" by which name and title the said trustees and their successors shall be competent and capable, in law and equity, to take to themselves and their successors, for the use of the said institution, any estate in any lands, tenements, hereditaments, goods, chattels, moneys, and other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise, or bequest of any person or persons whatsoever: *Provided*, The same do not exceed, in the whole, the yearly value of fifty thousand dollars and the same property and effects, real and personal, to grant, bargain, sell, convey, assure, demise, and to farm let, and to place out on interest for the use of the said institution; and by the same name to sue and be sued, to plead and be impleaded, in any courts of law and equity; and to make and use a common seal, and the same to break and alter at their pleasure; and generally, by and in the same name, to do and transact all and every the business touching or concerning the premises.

Institution how to be managed, &c.

First Trustees.

Name of corporation, powers, &c.

SEC. 3. *And be it further enacted*, That the trustees aforesaid shall hold their offices until the first day of October, eighteen hundred and

Term of office of above named

trustees; their powers, &c.

sixty, and until their successors shall be elected. And in the mean time, the said trustees shall pass all necessary ordinances and by-laws for the complete organization, government, and administration of the institution herein established. They may appoint or elect a president and secretary of their own body, and all such officers, professors, or teachers, as to them may seem expedient, and may confer upon them such powers, not inconsistent with the Constitution and laws of the United States, as may to them seem suitable to the end in view. They shall provide for the election of their successors on the first day of October, eighteen hundred and sixty, and annually thereafter; but, if from any cause, such elections should not take place at the times herein provided, they may be appointed for any other convenient time. And the said trustees for the first election, and their successors ever thereafter, shall determine and establish the rules and conditions upon which subscribers and contributors to the said gallery and school shall be admitted as members of the said institution, the manner in which they shall vote in the annual elections for trustees, and the privileges they shall enjoy in the said institution, and in the lectures, exhibitions, and other proceedings thereof. A majority of said trustees shall constitute a quorum to do business.

Conditions of membership, &c.

Quorum.

Trustees may grant degrees, &c.

SEC. 4. *And be it further enacted,* That the said trustees shall have power to grant and confirm to meritorious persons, such degrees in the arts as they may in their by-laws establish; and grant diplomas or certificates, under their common seal, and signed by the president and secretary to authenticate and perpetuate the same.

shall keep books and journals, which shall be open to inspection, &c.

SEC. 5. *And be it further enacted,* That it shall be the duty of the trustees to keep regular books or journals, in which shall be entered, under their direction, an account of all their ordinary acts and proceedings; all the by-laws, ordinances, rules, and regulations; a schedule of all the property and effects of every kind which may in any way be vested in the said trustees for the use and benefit of the said institution; and the names of all the subscribers and contributors qualified to vote for trustees, with their respective places of residence. And the said books or journals shall at all times be open to the inspection and examination of the said subscribers and contributors, and when required by either House of Congress, it shall be the duty of the said trustees to furnish any information respecting the institution and its affairs which may be so required.

Corporation not to issue notes, &c., as currency.

SEC. 6. *And be it further enacted,* That nothing in this act shall be so construed as to authorize said corporation to issue any note, token, device, scrip, or other evidence of debt to be used as a currency.

Act may be amended, &c.

SEC. 7. *And be it further enacted,* That this act may at any time be altered, amended, or repealed by the Congress of the United States.

Corporation not to distribute works of art by lottery, &c.

SEC. 8. *And be it further enacted,* That it shall not be lawful for the corporation hereby created to adopt any system of lottery or chances, as a means of making a revenue, or in distributing any works of art.

APPROVED, June 15, 1860.

June 15, 1860. CHAP. CXXX.—An Act providing for additional Terms of the United States Circuit and District Courts in the State of Kentucky.

Additional terms of circuit and district at Louisville.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the terms of the circuit and district courts of the United States for the district of Kentucky, now provided for by law, a term of the circuit court and of the district court of the United States for the district of Kentucky shall be held in the city of Louisville, in said district, commencing on the fourth Monday in April in each year, and a term of each of said courts shall likewise be held at said city, commencing on the fourth Monday in September in each year, each of said terms to continue, if the business

shall require it, twelve judicial days; and special terms of said courts, or either of them, may be held at said city of Louisville, at such other times as the district judge may appoint; and process may be made returnable to any general or special term of said district or circuit court, at said city of Louisville, at any succeeding term thereof, notwithstanding a term of said courts may, in the meantime, be held at the seat of government of the State of Kentucky, or elsewhere. Special terms..

SEC. 2. *And be it further enacted*, That the clerk of the said circuit and district courts shall keep a clerk's office for said courts at Louisville, and all the records and papers pertaining to business in said courts at Louisville shall be kept therein, and shall appoint a deputy clerk for said courts to reside in said city of Louisville. Clerk's office at Louisville.

SEC. 3. *And be it further enacted*, That additional terms of said circuit and district courts of the United States for the district of Kentucky shall be held twice during each and every year at Covington, Kentucky, commencing on [the] second Monday in January and September, and continuing twelve judicial days each, if the public business shall require it; and special terms of said courts, or either of them, may be held at said city of Covington at such other times as the district judge of the United States for said district may appoint; and process may be made returnable to any general or special term of said district or circuit courts, at said city of Covington, at any succeeding term thereof, notwithstanding a term of said courts may have been held elsewhere in said State. Additional terms at Covington, and special terms.

SEC. 4. *And be it further enacted*, That the clerk of the said circuit and district court shall keep a clerk's office for said courts in said city of Covington, and all the records and papers appertaining or relating to business in said courts held at Covington shall be kept therein, and he shall appoint a deputy clerk for said courts, to reside in or near said city. Clerk's office at Covington.

SEC. 5. *And be it further enacted*, That the district judge for said court of the United States for the district of Kentucky may make such rules and regulations for the regulation of the times of holding special terms of said court, and the process and business thereof, and the fees and costs to be taxed therein, as he shall deem expedient, if not inconsistent with any existing statute, and revise and alter the same when necessary. District judge may make rules and regulations.

SEC. 6. *And be it further enacted*, That additional terms of said circuit and district courts of the United States for the district of Kentucky, shall be held twice during each and every year at Paducah, Kentucky, commencing at such times as may be fixed by the presiding judge of said court, and continuing twelve judicial days each, if the public business shall require it; and special terms of said courts, or either of them, may be held at said Paducah, at such other times as the district judge of the United States for said district of Kentucky may appoint, and process may be made returnable to any general or special term of said district or circuit court, at said Paducah, at any succeeding term thereof, notwithstanding a term of said courts may have been held elsewhere in said State. Additional terms at Paducah, and special terms.

SEC. 7. *And be it further enacted*, That the clerk of the said circuit and district court shall keep a clerk's office for said courts in said Paducah, and all the records and papers appertaining or relating to business in said courts held at Paducah, shall be kept therein; and he shall appoint a deputy clerk for said courts, to reside in or near said Paducah. Clerk's office at Paducah.

APPROVED, June 15, 1860.

CHAP. CXXXI.—*An Act making Appropriations for the Service of the Post-Office Department during the fiscal Year ending the thirtieth of June, eighteen hundred and sixty-one.* June 15, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, Appropriations

1836, ch. 270.
Vol. v. p. 80.

Transportation
of the mails.

Pay of route
agents.

[Repealed,
1861, ch. 83.
Post, p. 204.]

Compensation
of Postmasters.

Delivery of
packages of
newspapers, &c.

Clerks to post-
masters.

Ship letters.
Office furniture.

Mail depredations
and special
agents.

No special
agent to have
over \$1600 per
annum.

1854, ch. 60, §
4, (vol. x. p. 287)
repealed.

Miscellaneous.

Detailed state-
ments to be fur-
nished Congress,
not to be used in
defence of cer-
tain suits.

Postage
stamps, &c.

Foreign
balances.

Delivery of let-
ters by carriers
at one cent each.

Boxes at out-
side stations in
suburbs of cities.

Post, pp. 703,
704.

and the same are hereby, appropriated, for the service of the Post-Office Department for the year ending the thirtieth of June, eighteen hundred and sixty-one, out of any moneys in the treasury arising from the revenues of the said department, in conformity to the act of the second of July, eighteen hundred and thirty-six :

For transportation of the mails within the jurisdiction of the United States, and on such routes along the coasts of the United States as do not touch at a foreign port, nine million six hundred and forty-four thousand five hundred and ninety eight dollars ; *Provided, however,* That the maximum compensation to be paid to route agents shall not exceed eight hundred dollars per year.

For compensation to postmasters, two million six hundred and fifty-four thousand dollars, *Provided, however,* That where packages of newspapers or periodicals are received at any post-office directed to one address, and the names of the club of subscribers to which they belong, with the postage for a quarter in advance, shall be handed to the postmaster, he shall deliver the same to their respective owners.

For clerks in the offices of postmasters, eight hundred thousand dollars.

For ship, steamboat, and way letters, twenty thousand dollars.

For office furniture in the post-offices, four thousand dollars.

For advertising, seventy thousand dollars.

For mail bags, fifty-five thousand dollars.

For paper required for printing blanks, seventy thousand dollars.

For printing blanks, twelve thousand dollars.

For wrapping paper, fifty-two thousand dollars.

For mail locks, keys, and stamps, fifteen thousand dollars.

For mail depredations and special agents, seventy thousand dollars, *Provided,* That from and after the first of July, one thousand eight hundred and sixty, not more than sixteen hundred dollars per annum shall be allowed to any special agent of the Post-Office Department as compensation for his services : *And provided further,* That the fourth section of an act entitled "An act to supply deficiencies in the appropriations for the service of the fiscal year ending the thirtieth of June, one thousand eight hundred and fifty-four," approved May thirty-first, eighteen hundred and fifty-four, be and the same is hereby repealed.

For miscellaneous payments, one hundred and fifty thousand dollars. *Provided,* That it shall be the duty of the Postmaster-General to furnish to Congress, in his annual report on the first Monday of December next, and of each and every year thereafter, a detailed statement of the expenditures made under the head of "miscellaneous payments;" and that it shall not be lawful to use any of the money hereby appropriated for the defence of suits brought against officers of the Post-Office Department for malfeasance, misfeasance or nonfeasance in office, or for acts committed by them under color of law, and in derogation of the rights of citizens.

For postage stamps and stamped envelopes, one hundred thousand dollars.

For payments of balances due to foreign countries, three hundred thousand dollars.

SEC. 2. *And be it further enacted,* That from and after the thirtieth of June, eighteen hundred and sixty, the charge for the delivery of letters by carriers, shall be not exceeding one cent each, the whole of which shall be paid to them for their services. And the Postmaster-General may establish boxes for the delivery of letters at the outside stations in the suburbs of cities, provided it can be done without loss to the department or injury to the service; and any net revenue derived from the rent of said boxes may be applied by him towards the payment of the expense of collecting letters or towards the increase of the carrier's fund, as he may deem just or equitable.

SEC. 3. *And be it further enacted*, That if the revenues of the Post-Office Department shall be insufficient to meet the appropriations of this act, then the sum of five million seven thousand four hundred and twenty-four dollars and seventy-five cents, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post-Office Department for the year ending the thirtieth June, eighteen hundred and sixty-one.

Deficiency appropriation, if revenue is insufficient.

SEC. 4. *And be it further enacted*, That the Postmaster-General be, and he is hereby, authorized to cause the mails to be transported between the United States and any foreign port or ports, or between any port of the United States to any other port of the United States, touching at a foreign port, by steamship, allowing and paying therefor, if by an American vessel, the sea and United States inland postage, and if by a foreign vessel, the sea postage only, on the mails so conveyed: *Provided*, That the preference shall always be given to an American over a foreign steamship, when departing from the same port for the same destination within three days of each other.

Foreign mails.

Preference to American steamships.

[Repealed, 1862, ch. 58, § 4. Post, p. 382.]

SEC. 5. *And be it further enacted*, That so much of the appropriation for inland mail service as is provided for transportation of mails from San Francisco to Puget's Sound, via Astoria, in Oregon, shall be applied to the transportation of said mails by land to Olympia, whenever by law such service shall be provided in lieu of ocean service.

Mail service to Olympia, Oregon.

APPROVED, June 15, 1860.

CHAP. CXXXII.—*An Act authorizing the Sale of the Western Military Asylum in Harrodsburg, Kentucky.* June 15, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the board of commissioners of the Soldiers' Home be, and they are hereby, authorized and required, to sell and dispose of the Western Military Asylum, at Harrodsburg, Kentucky, at such time and manner, and upon such terms and conditions as they may deem best, and that the proceeds of such sale be restored to the fund of the said Soldiers' Home: *Provided*, That no sale shall be made until at least sixty days' public notice thereof shall be given: *Provided further*, That said sale be made within twelve months from and after the passage of this act. But said sale is not to take place unless the property shall bring at least twenty-five thousand dollars.

Western Military Asylum to be sold.

Notice.

Time.

Minimum price.

SEC. 2. *And be it further enacted*, That the said commissioners of the Soldiers' Home, or such person as they may duly and legally appoint, shall, upon the full payment of the purchase-money for said Western Military Asylum, agreeably to the terms of sale, and upon the approval of such sale by the Secretary of War, make and deliver to the purchaser or purchasers, on behalf of the United States, a deed in fee simple for said property.

Deed in case of sale.

SEC. 3. *And be it further enacted*, That the tenth section of the act of March three, eighteen hundred and fifty-seven, which directs the sale of the Western Military Asylum at Harrodsburg, Kentucky, be and the same is hereby repealed.

1857, ch. 106, § 10, (Vol. xi. p. 204,) repealed.

APPROVED, June 15, 1860.

CHAP. CXXXIV.—*An Act to change the Location of the Custom-House for the District of Brazos de Santiago, from Point Isabel to Brownsville, in the State of Texas.* June 16, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the custom-house of said district be, and the same is hereby, changed from Point Isabel to Brownsville; that the port of entry heretofore existing at Point Isabel aforesaid, be, and the same is hereby, abolished, and that Brownsville aforesaid be, and the same is hereby, created a port of entry for said district.

Custom-house to be at Brownsville and port of entry.

Collector's office at Brownsville.

SEC. 2. *And be it further enacted*, That the collector of said district shall henceforth keep his office at Brownsville aforesaid, and the same shall be removed, under such instructions as the Secretary of the Treasury shall prescribe.

Deputy at Brazos de Santiago.

SEC. 3. *And be it further enacted*, That a deputy collector of customs shall reside and keep his office at Brazos de Santiago aforesaid, who shall be, and he is hereby, authorized to enter and clear vessels.

Transshipment of imported goods at Brazos Harbor for Brownsville.

SEC. 4. *And be it further enacted*, That all goods, wares, and merchandise of whatever description, transported in bond to the port of entry hereby created, from any other port or place in the United States, via Brazos Harbor, may, on their arrival in said harbor, be transhipped, under such regulations, not inconsistent with law, as the Secretary of the Treasury may prescribe, in other vessels for transportation via the Rio Grande to Brownsville aforesaid; and any goods, wares, or merchandise, of any description whatever, imported into said district via said harbor, from any foreign country, may in like manner be transhipped to said port of entry as herein provided, for goods, wares, and merchandise transhipped in bond.

Saving of existing obligation.

SEC. 5. *And be it further enacted*, That no bond, obligation, power of attorney, or other instrument having legal force, and given or taken with reference to the custom-house of said district, before the passage of this act, shall by this reason be in any manner impaired, but the same shall nevertheless remain valid.

APPROVED, June 16, 1860.

June 16, 1860. CHAP. CXXXV.—*An Act to amend an Act regulating the Diplomatic and Consular System of the United States.*

Sardinia to be in schedule A.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the thirtieth of June next the kingdom of Sardinia be ranked in schedule A of the consular and diplomatic bill, approved August eighteenth, eighteen hundred and fifty-six, with Russia, Spain, Austria, Brazil, Mexico, and China.

1856, ch. 127. Vol. xi. p. 52.

Appointment and pay of envoy, and secretary.

SEC. 2. *And be it further enacted*, That the President may, by and with the advice and consent of the Senate, appoint a representative to the kingdom of Sardinia, of the grade of envoy extraordinary and minister plenipotentiary, who shall receive for his services an annual compensation of twelve thousand dollars; and a secretary of legation, who shall receive for his services an annual compensation of one thousand eight hundred dollars.

Repeal of inconsistent legislation.

SEC. 3. *And be it further enacted*, That all acts and parts of acts fixing the rank and the compensation of the representative of the United States and the secretary of legation at Sardinia be, and the same are hereby, repealed, so far as the same are inconsistent with this act.

APPROVED, June 16, 1860.

June 16, 1860. CHAP. CXXXVI.—*An Act to amend an Act entitled "An Act in addition to the Acts Prohibiting the Slave Trade."*

1819, ch. 101. Vol. iii. 532.

1862, ch. 197. Post, p. 592.

President may contract for the reception in Africa of negroes delivered from vessels seized in the slave trade, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall and may be lawful for the President of the United States to enter into contract with any person or persons, society or societies, or body corporate, for a term not exceeding five years, to receive from the United States through their duly constituted agent or agents, upon the coast of Africa, all negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave trade, by commanders of the United States armed vessels, and to provide the said negroes, mulattoes, and persons of color with comfortable clothing, shelter, and provisions for a period not

exceeding one year from the date of their being landed on the coast of Africa, at a price in no case to exceed one hundred dollars for each person so clothed, sheltered, and provided with food: *Provided*, That any contract so made as aforesaid may be renewed by the President from time to time as found necessary for periods not to exceed five years on each renewal.

Contract may be renewed from time to time.

SEC. 2. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to issue instructions to the commanders of the armed vessels of the United States, directing them whenever it shall be practicable, and under such rules and regulations as he may prescribe, to proceed directly to the coast of Africa, and there deliver to the agent or agents of the United States all negroes, mulattoes, and persons of color delivered from on board vessels seized in the prosecution of the slave trade, afterwards bringing the captured vessels and persons engaged in prosecuting the slave trade to the United States for trial and adjudication.

United States vessels to proceed at once to coast of Africa, and there deliver such negroes, &c.

SEC. 3. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to take immediate measures in his discretion in accordance with existing laws, and with the provisions of the first section of this act, for removing to the coast of Africa, and there providing with food, shelter, and clothing for a term not exceeding one year from the date of landing in Africa the captured Africans recently landed in the southern district of Florida, and that the sum of two hundred and fifty thousand dollars be appropriated for that purpose out of any moneys in the treasury not otherwise appropriated by law.

This act to be applied to Africans recently landed in Florida, and appropriation therefor.

APPROVED, June 16, 1860.

CHAP. CXXXVII.—*An Act to facilitate Communication between the Atlantic and Pacific States by Electric Telegraph.*

June 16, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, under the direction of the President of the United States, is hereby authorized and directed to advertise for sealed proposals, to be received for sixty days after the passage of this act, (and the fulfilment of which shall be guaranteed by responsible parties, as in the case of bids for mail contracts,) for the use by the government of a line or lines of magnetic telegraph, to be constructed within two years from the thirty-first day of July, eighteen hundred and sixty, from some point or points on the west line of the State of Missouri, by any route or routes which the said contractors may select, (connecting at such point or points by telegraph with the cities of Washington, New Orleans, New York, Charleston, Philadelphia, Boston, and other cities in the Atlantic, Southern, and Western States,) to the city of San Francisco, in the State of California, for a period of ten years, and shall award the contract to the lowest responsible bidder or bidders, provided such proffer does not require a larger amount per year from the United States than forty thousand dollars; and permission is hereby granted to the said parties to whom said contract may be awarded, or a majority of them, and their assigns, to use until the end of the said term, such unoccupied public lands of the United States as may be necessary for the right of way and for the purpose of establishing stations for repairs along said line, not exceeding at any station one quarter-section of land, such stations not to exceed one in fifteen miles on an average of the whole distance, unless said lands shall be required by the government of the United States for railroad or other purposes, and provided that no right to preëm[p]t any of said lands under the laws of the United States shall inure to said company, their agents or servants, or to any other person or persons whatsoever: *Provided*, That no such contract shall be made until the said line shall be in actual operation, and

Post, pp. 533, 534.

Proposals to be advertised for.

Contract to be given to lowest responsible bidder, &c.

Right of way, &c.

Contract not to be made until line is in operation, &c.

Lines to be open to the use of all citizens, on payment, &c.

Rates of charges.

Right granted not to be exclusive.

Branch line to Oregon.

Right of way, &c.

If government business, at usual rates, exceeds contract price, excess to be certified to Congress.

Use to be free for certain scientific purposes.

Telegrams to be impartially transmitted.

Congress may alter, &c. this act.

payments thereunder shall cease whenever the contractors fail to comply with their contract; that the government shall at all times be entitled to priority in the use of the line or lines, and shall have the privilege, when authorized by law, of connecting said line or lines by telegraph with any military posts of the United States, and to use the same for government purposes: *And provided, also,* That said line or lines, except such as may be constructed by the government to connect said line or lines with the military posts of the United States, shall be open to the use of all citizens of the United States during the term of the said contract, on payment of the regular charges for transmission of dispatches: *And provided, also,* That such charges shall not exceed three dollars for a single dispatch of ten words, with the usual proportionate deductions upon dispatches of greater length, provided that nothing herein contained shall confer upon the said parties any exclusive right to construct a telegraph to the Pacific, or debar the government of the United States from granting, from time to time, similar franchises and privileges to other parties.

SEC. 2. *And be it further enacted,* That the said contractors, or their assigns, shall have the right to construct and maintain, through any of the territories of the United States, a branch line, so as to connect their said line or lines with Oregon; and that they shall have the permanent right of way for said line or lines, under, or over, any unappropriated public lands and waters in the said territories, by any route or routes which the said contractors may select, with the free use during the said term of such lands as may be necessary for the purpose of establishing stations for repairs along said line or lines, not exceeding, at any station, one quarter-section of land, such stations not to exceed one in fifteen miles on an average of the whole distance; but should any of said quarter-sections be deemed essential by the government, or any company acting under its authority, for railroad purposes, the said contractors shall relinquish the occupancy of so much as may be necessary for the railroad, receiving an equal amount of land for like use in its stead.

SEC. 3. *And be it further enacted,* That if, in any year during the continuance of the said contract, the business done for the government, as hereinbefore mentioned, by such contractors or their assigns, shall, at the ordinary rate of charges for private messages, exceed the price contracted to be paid as aforesaid, the Secretary of the Treasury shall, upon said accounts being duly authenticated, certify the amount of such excess to Congress: *Provided,* That the use of the line be given, at any time, free of cost, to the Coast Survey, the Smithsonian Institution, and the National Observatory, for scientific purposes: *And provided further,* That messages received from any individual, company, or corporation, or from any telegraph lines connecting with this line at either of its termini, shall be impartially transmitted in the order of their reception, excepting that the dispatches of the government shall have priority: *And provided further,* That Congress shall at any time have the right to alter or amend this act.

APPROVED, June 16, 1860.

June 16, 1860.

CHAP. CXXXVIII.—An Act making Appropriation for the Payment of the Expenses of the Legislative Assembly of the Territory of Minnesota.

\$26,000 appropriated for territorial legislature of Minnesota.

1857, ch. 107. Vol xl. p. 216.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty-six thousand dollars, or so much thereof as has not been heretofore paid, appropriated by the act of March third, Anno Domini eighteen hundred and fifty-seven, for the payment of the expenses of the legislative assembly of the Territory of Minnesota, be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be paid to the State of Minnesota.

APPROVED, June 16, 1860.

CHAP. CXXXIX.—*An Act to relinquish the Title of the United States to certain Lands occupied by the City of Baton Rouge, in Louisiana.* June 16, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, interest or claim of the United States in and to the land occupied by the city of Baton Rouge, in the State of Louisiana, lying between Florida Street on the north and the South Boulevard on the south, as shown by an original map of said city, on file in the office of the clerk of the sixth judicial district court of Louisiana, at East Baton Rouge, on the fourteenth of March, eighteen hundred and sixty, be, and the same is hereby, relinquished to the mayor and council of the city of Baton Rouge, in trust for the several use and benefit of the owners of lots therein, according to their respective interests: *Provided,* This act shall only be construed as quit claim on the part of the United States, and shall not affect the interests of third parties, nor preclude a judicial investigation in relation to the title to all or any portion of the lands hereby relinquished.

Title relinquished to certain lands in Baton Rouge, Louisiana.

APPROVED, June 16, 1860.

CHAP. CXL.—*An Act to change the Name of the Ship "Rockall" to "Massachusetts."* June 16, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of the American built ship "Rockall" of Boston, purchased by the State of Massachusetts for service as a school ship be, and the same is hereby, changed to "Massachusetts," and the Secretary of the Treasury is hereby authorized and directed to issue the necessary papers in accordance with this act.

Ship "Rockall" to be called "Massachusetts."

APPROVED, June 16, 1860.

CHAP. CXLI.—*An Act recognizing the Survey of the Grand Cheniere Island, State of Louisiana, as approved by the Surveyor-General, and for other Purposes.* June 16, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the anomalous survey of the Grand Cheniere Island, in the southwestern district of Louisiana, as approved by R. W. Boyd, surveyor-general, on the twenty-eighth day of February, eighteen hundred and fifty-two, be, and the same is hereby confirmed, and persons residing thereon at the date of this act who, according to the preëmption laws now in force, would be entitled to a preëmption, shall be allowed such right on the lands referred to in this bill; but such preference right shall be confined to the single subdivision of land upon which the party may reside, and shall exceed, in no case, one hundred and sixty acres.

Survey of Grand Cheniere Island confirmed.

Preëmption rights granted.

APPROVED, June 16, 1860.

CHAP. CXLII.—*An Act to amend an Act approved the third Day of March, one thousand eight hundred and forty-seven, entitled, "An Act to establish a Port of Entry at Saluria, in the State of Texas, and for other Purposes."* June 16, 1860.

1847, ch. 57.
Vol. ix. p. 182.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the surveyor of customs of the port of Corpus Christi, in the district of Saluria, in the State of Texas, be, and the same is hereby, discontinued, and a deputy collector shall be appointed, according to law, for the said port of Corpus Christi, with the same powers as the deputy collectors at Aransas and Sabine, within said State, as provided in sections third and fourth of the act of which this is the amendment. The compensation of the deputy collector at Corpus Christi shall be at the rate of five hundred dollars per annum, and the fees prescribed by law not to exceed, in the aggregate, in any one year, the sum of fifteen hundred dollars.

Surveyorship at Corpus Christi abolished and deputy-collector ship established.

Pay of deputy

APPROVED, June 16, 1860.

June 16, 1860. CHAP. CXLIII.—*An Act for the Relief of Congressional Township Number Two north, of Range Number Nine west, of the fourth principal Meridian, in Adams County, State of Illinois.*

Preamble.

Whereas section number sixteen in township number two north, of range nine west, of the fourth principal meridian, in Adams County, Illinois, is located in a lake, or pond, and is in consequence thereof wholly unfit for cultivation, and is worthless to the inhabitants of said township for school purposes: Therefore,

School trustees may select certain land.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the school trustees for the said township be, and they are hereby, authorized to select one section of land in legal subdivisions of any of the public lands of the United States subject to entry or sale at the minimum price of one dollar and twenty-five cents per acre.

Patent to issue therefor.

Land to be held for use of schools.

Former grant to revert to the United States.

SEC. 2. *And be it further enacted,* That when the same shall have been selected by the trustees aforesaid, and a description thereof returned to and approved by the Commissioner of the General Land Office, a patent or patents shall issue therefor to the inhabitants of the said congressional township, and shall be held and disposed of by them for the use of schools within the said congressional township in the same manner as other school lands are held and disposed of.

SEC. 3. *And be it further enacted,* That the said section sixteen in the township aforesaid shall revert to and invest in the United States, and be disposed of in the same manner as other public lands.

APPROVED, June 16, 1860.

June 16, 1860. CHAP. CXLIV.—*An Act for the Relief of the Missionary Society of the Methodist Episcopal Church.*

\$20,000 to be paid for release of land claim &c., in Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be paid, out of any money in the treasury not otherwise appropriated, to the Missionary Society of the Methodist Episcopal Church the sum of twenty thousand dollars, upon filing in the proper department a release to the United States, to be approved by the Attorney-General, of all claim to the land embraced within the limits of the military reservation at the Dalles, in Oregon Territory, and of all claim for damages for destruction of property on or near the said land by the United States troops or volunteers or Indians at any time anterior to the date of said release.

APPROVED, June 16, 1860.

June 19, 1860. CHAP. CLVII.—*An Act making Appropriations for the current and contingent Expenses of the Indian Department, and for fulfilling Treaty Stipulations with various Indian Tribes, for the Year ending June thirtieth, eighteen hundred and sixty-one.*

Appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian department, and fulfilling treaty stipulations with the various Indian tribes.

For the current and contingent expenses of the Indian department, viz.:

Pay of superintendents.

1850, ch. 16.
1850, ch. 82.
1851, ch. 14.
1852, ch. 11.
1853, ch. 104.
1854, ch. 187.
1855, ch. 204.
1856, ch. 128.

For the pay of superintendents of Indian affairs, and of the several Indian agents, per acts of fifth June, eighteen hundred and fifty, twenty-eighth September, eighteen hundred and fifty, twenty-seventh February, eighteen hundred and fifty-one, third March, eighteen hundred and fifty-two, third March, eighteen hundred and fifty-three, thirty-first July, eighteen hundred and fifty-four, third March, eighteen hundred and fifty-five, eighteenth August, eighteen hundred and fifty-six, third March, eighteen

hundred and fifty-seven, and twelfth June, eighteen hundred and fifty-eight, eighty-seven thousand seven hundred and fifty dollars.	1857, ch. 90. 1858, ch. 155.
For the pay of the several Indian sub-agents, per act of thirty-first July, eighteen hundred and fifty-four, ten thousand five hundred dollars.	Sub-agents. 1854, ch. 167.
For the pay of clerk to superintendent at St. Louis, Missouri, per act of twenty-seventh June, eighteen hundred and forty-six, one thousand two hundred dollars.	Clerks. 1846, ch. 34. Vol. ix. p. 21.
For the pay of clerk to superintendent in California, per act of third March, eighteen hundred and fifty-two, one thousand eight hundred dollars.	1852, ch. 11. Vol. x. p. 2.
For the pay of interpreters, per acts of thirtieth June, eighteen hundred and thirty-four, twenty-seventh February, eighteen hundred and fifty-one, and eighteenth August, eighteen hundred and fifty-six, thirty-one thousand nine hundred dollars.	Interpreters. 1834, ch. 162. 1851, ch. 14. 1856, ch. 128.
For presents to Indians, five thousand dollars.	Presents.
For provisions for Indians, eleven thousand eight hundred dollars.	Provisions.
For buildings at agencies, and repairs thereof, ten thousand dollars.	Buildings.
For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of the Lake Superior, five thousand seven hundred and sixty-two dollars and sixty-three cents.	Transportation &c.
For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of the Mississippi, three thousand eight hundred and eighty-six dollars and seventy-five cents.	
For contingencies of the Indian department, thirty-six thousand five hundred dollars.	Contingencies.
For the employment of temporary clerks by superintendents of Indian affairs, on such occasions and for such periods of time as the Secretary of the Interior may deem necessary to the public service, five thousand dollars.	
For fulfilling treaty stipulations with the various Indian tribes :	Treaty stipulations.
<i>Blackfoot Nation.</i> — For fifth of ten instalments as annuity, to be expended in the purchase of such goods, provisions, and other useful articles as the President, at his discretion, may from time to time determine, per ninth article of the treaty of seventeenth October, eighteen hundred and fifty-five, twenty thousand dollars.	Blackfoot Nation. Vol. xi. p. 659.
For fifth of ten instalments as annuity, to be expended in establishing and instructing them in agricultural and mechanical pursuits, and in educating their children, and promoting civilization and Christianity, at the discretion of the President, per tenth article of the treaty of seventeenth October, eighteen hundred and fifty-five, fifteen thousand dollars.	
<i>Chasta, Scoton, and Umpqua Indians.</i> — For sixth of fifteen instalments of annuity, to be expended as directed by the President, per third article treaty eighteenth November, eighteen hundred and fifty-four, two thousand dollars.	Chasta, Scoton and Umpqua Indians.
For sixth of fifteen instalments for the pay of a farmer, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand dollars.	Vol. x. p. 1122.
For sixth of ten instalments for the pay of a physician, medicines, and expense of care of the sick, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand five hundred dollars.	
For sixth of fifteen instalments for pay of teachers and purchase of books and stationery, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand two hundred dollars.	
<i>Chippewas of Lake Superior.</i> — For two thirds of nineteenth of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight thousand three hundred and thirty-three dollars and thirty-three cents.	Chippewas of Lake Superior. Vol. vii. p. 592. Vol. x. p. 1109.
For two thirds of nineteenth of twenty-five instalments for the pay of	

two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight hundred dollars.

For two thirds of nineteenth of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, seven thousand dollars.

For two thirds of nineteenth of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For two thirds of nineteenth of twenty-five instalments for the pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For two thirds of nineteenth of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For sixth of twenty instalments in coin, goods, household furniture, and cooking utensils, agricultural implements, and cattle, carpenters' and other tools and building materials, and for moral and educational purposes, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, nineteen thousand dollars.

For sixth of twenty instalments for six smiths and assistants, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, five thousand and forty dollars.

For sixth of twenty instalments for the support of six smiths' shops, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and twenty dollars.

For fourth of twenty instalments for the seventh smith and assistant, and support of shop, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of a smith, assistant, and shop for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of two farmers for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of
the Mississippi.

Vol. vii. p. 502.

Vol. x. p. 1109.

Chippewas of the Mississippi. — For one third of nineteenth of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four thousand one hundred and sixty-six dollars and sixty-seven cents.

For one third of nineteenth of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four hundred dollars.

For one third of nineteenth of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three thousand five hundred dollars.

For one third of nineteenth of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of nineteenth of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For completing the ploughing and preparation for cultivation of three hundred acres of land, in suitable lots, at each of the reservations for the Mississippi bands, per third article treaty twenty-second February, eight-

Vol. x. p. 1165.

hundred and seventy-five acres for the Pillager and Lake Winnebagoish bands of Chippewas, per third article of treaty of twenty-second of February, eighteen hundred and fifty-five, two thousand dollars.

For one third of nineteenth of twenty-five instalments for the support of two smiths' shops, including the pay of two smiths and assistants, and furnishing iron and steel, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of nineteenth of twenty-five instalments for pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three hundred and thirty-three dollars and thirty-three cents.

For sixth of twenty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, twenty thousand dollars.

Chippewas, Pillager, and Lake Winnebagoish Bands. — For sixth of thirty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, ten thousand six hundred and sixty-six dollars and sixty-six cents.

Chippewas, Pillager, and Lake Winnebagoish Bands.

Vol. x. p. 1165.

For sixth of thirty instalments of annuity in goods, per third article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

For sixth of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five, four thousand dollars.

For sixth of twenty instalments for purposes of education, per third article treaty twenty-second February, eighteen hundred and fifty-five, three thousand dollars.

For sixth of fifteen annual instalments for support of two smiths and smiths' shops, per third article treaty twenty-second February, eighteen hundred and fifty-five, two thousand one hundred and twenty dollars.

Chippewas of Saginaw, Swan Creek, and Black River. — For the last of five equal annual instalments for educational purposes, under the direction of the President, per second article of the treaty of second August, eighteen hundred and fifty-five, four thousand dollars.

Chippewas, of Saginaw, Swan Creek, and Black River.

Vol. xi. p. 634.

For the last of five equal annual instalments for agricultural implements and carpenters' tools, household furniture and building materials, cattle, labor, and necessary useful articles, per second article of the treaty of second August, eighteen hundred and fifty-five, five thousand dollars.

For fifth of ten equal annual instalments in coin, to be distributed *per capita*, in the usual manner of paying annuities, per second article of the treaty of second August, eighteen hundred and fifty-five, ten thousand dollars.

For fifth instalment for the support of one blacksmith shop for ten years, per second article of the treaty of second August, eighteen hundred and fifty-five, twelve hundred and forty dollars.

Chippewas,
Menomonees,
Winnebagoes,
and New York
Indians.

Vol. vii. p. 304.
Chickasaws.
1799, ch. 11.
Vol. i. p. 618.
Choctaws.
Vol. vii. p. 99.
Vol. xi. p. 614.

Vol. vii. p. 213.

Vol. vii. p. 235.

Comanches,
Kiowas, and Apaches of Arkansas River.
Vol. x. p. 1014.

Creeks.
Vol. vii. p. 36.
Vol. xi. p. 700.

Vol. vii. p. 69.

Vol. vii. p. 287.

Chippewas, Menomonees, Winnebagoes, and New York Indians.— For education, during the pleasure of Congress, per fifth article treaty eleventh August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

Chickasaws.— For permanent annuity in goods, per act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars.

Choctaws.— For permanent annuity, per second article treaty sixteenth November, eighteen hundred and five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, three thousand dollars.

For permanent annuity for support of light-horsemen, per thirteenth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent provision for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six thousand dollars.

For permanent provision for blacksmith, per sixth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars,

For permanent provision for iron and steel, per ninth article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article of treaty twenty-second June, eighteen hundred and fifty-five, three hundred and twenty dollars.

For interest on five hundred thousand dollars, at five per centum, for education and other beneficial purposes, to be applied under the direction of the general council of the Choctaws, in conformity with the provisions contained in the tenth and thirteenth articles of the treaty of twenty-second June, eighteen hundred and fifty-five, twenty-five thousand dollars.

Comanches, Kiowas, and Apaches of Arkansas River.— For seventh of ten instalments for the purchase of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, eighteen thousand dollars.

For expenses of transportation of the seventh of ten instalments of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, seven thousand dollars.

Creeks.— For permanent annuity in money, per fourth article treaty seventh August, seventeen hundred and ninety, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand five hundred dollars.

For permanent annuity in money, per second article treaty sixteenth June, eighteen hundred and two, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For permanent annuity in money, per fourth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, twenty thousand dollars.

For permanent provision for blacksmith and assistant, and for shop and tools, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

For permanent provision for iron and steel for shop, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For permanent provision for pay of a wheelwright, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For blacksmith and assistant, and shop and tools, during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars. Vol. vii. p. 419
Vol. xi. p. 700.

For iron and steel for shop, during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For wagon-maker, during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth [article] treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For assistance in agricultural operations, during the pleasure of the President, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars. Vol. vii. p. 287.

For education, during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand dollars.

For the fourth of seven additional instalments for two blacksmiths, assistants, shops, and tools, per thirteenth article treaty twenty-fourth March, eighteen hundred and thirty-two, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand six hundred and eighty dollars. Vol. vii. p. 368.

For the fourth of seven additional instalments for iron and steel for shops, per thirteenth article treaty twenty-fourth March, eighteen hundred and thirty-two, and fifth article treaty seventh August, eighteen hundred and fifty-six, five hundred and forty dollars.

For thirtieth of thirty-three instalments for education, per fourth article treaty fourth January, eighteen hundred and forty-five, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars. Vol. ix. p. 822.

For seventeenth of twenty instalments for education, per fourth article treaty fourth January, eighteen hundred and forty-five, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For five per centum interest on two hundred thousand dollars for purposes of education, per sixth article treaty seventh August, eighteen hundred and fifty-six, ten thousand dollars.

Delawares. — For life annuity to chief, per private article to supplemental treaty twenty-fourth September, eighteen hundred and twenty-nine, to treaty of third October, eighteen hundred and eighteen, one hundred dollars. Delawares.
Vol. vii. p. 188.

For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land set apart by treaty of eighteen hundred and twenty-nine for education, per resolution of the Senate nineteenth January, eighteen hundred and thirty-eight, and fifth article treaty sixth May, eighteen hundred and fifty-four, two thousand three hundred and four dollars. Vol. vii. p. 527.
Vol. x. p. 1049.

For seventh of eight equal instalments for payment of five chiefs, per sixth article treaty sixth May, eighteen hundred and fifty-four, one thousand two hundred and fifty dollars.

Iowas. — For interest in lieu of investment on fifty-seven thousand five hundred dollars, balance of one hundred and fifty-seven thousand five hundred dollars, to the first July, eighteen hundred and sixty-one, at five per centum, for education or other beneficial purposes, under the direction of the President, per second article treaty nineteenth October, eighteen hundred and thirty-eight, and ninth article treaty seventeenth May, eighteen hundred and fifty-four, two thousand eight hundred and seventy-five dollars. Iowas.
Vol. vii. p. 568.
Vol. x. p. 1071.

Kansas. — For interest in lieu of investment on two hundred thousand
VOL. XII. — PUB. 7

- Kansas. dollars, at five per centum, per second article treaty fourteenth January, Vol. ix. p. 842. eighteen hundred and forty-six, ten thousand dollars.
- Kickapoos. — For seventh instalment of interest, at five per centum, on one hundred thousand dollars for education, per second article treaty eighteenth May, eighteen hundred and fifty-four, five thousand dollars. Vol. x. p. 1078.
- For the payment of this sum as the seventh instalment upon two hundred thousand dollars, to be paid in eighteen hundred and sixty, per second article treaty eighteenth May, eighteen hundred and fifty-four, nine thousand dollars.
- Menomonees. — For fifth of twelve instalments for continuing and keeping up a blacksmith shop and providing the usual quantity of iron and steel, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, nine hundred and sixteen dollars and sixty-six cents. Vol. ix. p. 952. Vol. x. p. 1065.
- For fifth of ten instalments of annuity upon two hundred thousand dollars, balance of three hundred and fifty thousand dollars for cession lands, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, twenty thousand dollars.
- For fifth of fifteen instalments for pay of miller, per third article treaty twelfth May, eighteen hundred and fifty-four, six hundred dollars.
- Miamies of Kansas. — For permanent provision for blacksmith and assistant, and iron and steel for shop, per fifth article treaty sixth October, eighteen hundred and eighteen, and fourth article treaty fifth June, eighteen hundred and fifty-four, nine hundred and forty dollars. Vol. vii. p. 191. Vol. x. p. 1005.
- For permanent provision for miller, in lieu of gunsmith, per fifth article treaty sixth October, eighteen hundred and eighteen, fifth article treaty twenty-third October, eighteen hundred and thirty-four, and fourth article treaty fifth June, eighteen hundred and fifty-four, six hundred dollars. Vol. vii. p. 459.
- For their proportion of the last twenty instalments in money, per second article treaty twenty-eighth November, eighteen hundred and forty, and fourth article treaty fifth June, eighteen hundred and fifty-four, five thousand six hundred and thirty-six dollars and thirty-six cents. Vol. vii. p. 582.
- For interest on fifty thousand dollars, at five per centum, for educational purposes, per third article treaty fifth June, eighteen hundred and fifty-four, two thousand five hundred dollars.
- For first of twenty instalments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty-four, seven thousand five hundred dollars.
- Miamies of Indiana. — For their proportion of the last of twenty instalments in money, per second article treaty twenty-eighth November, eighteen hundred and forty, and fourth article treaty fifth June, eighteen hundred and fifty-four, six thousand eight hundred and sixty-three dollars and sixty-four cents. Vol. vii. p. 582. Vol. x. p. 1095.
- For interest on investment of two hundred and twenty-one thousand two hundred and fifty-seven dollars and eighty-six cents, at five per centum, for Miami Indians of Indiana, per Senate's amendment to fourth article treaty fifth June, eighteen hundred and fifty-four, eleven thousand and sixty-two dollars and eighty-nine cents.
- Miamies, Eel River. — For permanent annuity in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five, five hundred dollars. Vol. vii. p. 51.
- For permanent annuity in goods or otherwise, per third article treaty twenty-first August, eighteen hundred and five, two hundred and fifty dollars. Vol. vii. p. 91.
- For permanent annuity in goods or otherwise, per third article and separate article to treaty thirtieth September, eighteen hundred and nine, three hundred and fifty dollars. Vol. vii. p. 114.
- Nisqually, Puyallup, and other Tribes and Bands of Indians.* — For

sixth instalment in part payment for relinquishment of title to lands to be applied to beneficial objects, per fourth article treaty twenty-sixth December, eighteen hundred and fifty-four, two thousand dollars.

Nisqually, Puyallup, and other Tribes and Bands of Indians.

For sixth of twenty instalments for pay of instructor, smith, physician, carpenter, farmer, and assistant if necessary, per tenth article treaty twenty-sixth December, eighteen hundred and fifty-four, six thousand seven hundred dollars.

Vol. x. p. 1134.

Omahas.—For the third of ten instalments of this amount, being second of the series in money or otherwise, per fourth article treaty sixteenth March, eighteen hundred and fifty-four, thirty thousand dollars.

Omahas.

Vol. x. p. 1044.

For sixth of ten instalments for support of a miller, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For sixth of ten instalments for support of blacksmith and assistant, and iron and steel for shop, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For sixth of ten instalments for support of farmer, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill provided for by the eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smith's shop with tools, and keeping the same in repair, per eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two *thousand* [hundred] dollars.

Osages.—For interest on sixty-nine thousand one hundred and twenty dollars, at five per centum, being the value of fifty-four sections of land set apart second June, eighteen hundred and twenty-five, for educational purposes, per Senate resolution, nineteenth January, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars.

Osages.

Ottos and Missourias.—For the third of ten instalments of this amount, being the second series, in money or otherwise, per fourth article treaty fifteenth March, eighteen hundred and fifty-four, thirteen thousand dollars.

Ottos and Missourias.
Vol. x. p. 1039.

For sixth of ten instalments, for pay of miller, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For sixth of ten instalments for blacksmith and assistant, and iron and steel for shop, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For sixth of ten instalments for farmer, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill, provided for by the seventh article of the treaty of fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smiths' shops with tools, and keeping the same in repair, per seventh article of the treaty fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two hundred dollars.

Ottowas and Chippewas of Michigan.—For fifth of ten equal annual instalments for educational purposes, to be expended under the direction of the President, according to the wishes of the Indians, so far as may be reasonable and just, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, eight thousand dollars.

Ottowas and Chippewas of Michigan.

Vol. xi. p. 623

For the last of five equal annual instalments in agricultural implements and carpenters' tools, household furniture, and building materials, cattle, labor, and necessary useful articles, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, fifteen thousand dollars.

For fifth instalment for the support of four blacksmith shops for ten years, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, four thousand two hundred and forty dollars.

Vol. xi. p. 623.

For fifth instalment of principal, payable annually for ten years, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, ten thousand dollars.

For interest on two hundred and fifty-six thousand dollars, unpaid part of the principal sum of three hundred and six thousand dollars, for one year, at five per centum per annum, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, twelve thousand eight hundred dollars.

For fifth of ten equal annual instalments on thirty-five thousand dollars, in lieu of former treaty stipulations, to be paid per capita to the Grand River Ottawas, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, three thousand five hundred dollars.

Ottawas of
Kansas.

Vol. vii. p. 51.
Vol. vii. p. 105.
Vol. vii. p. 179.
Vol. vii. p. 220.

Ottawas of Kansas.—For their proportion of the permanent annuities in money, goods, or otherwise, payable under the fourth article of the treaty of third August, seventeen hundred and ninety-five, second article of the treaty of seventeenth November, eighteen hundred and seven, fourth article of the treaty of seventeenth September, eighteen hundred and eighteen, and fourth article of the treaty of twenty-ninth August, eighteen hundred and twenty-one, two thousand six hundred dollars.

Pawnees.
Vol. xi. p. 729.

Pawnees.—For third of five instalments in goods and such articles as may be necessary for them, per second article treaty twenty-fourth September, eighteen hundred and fifty-seven, forty thousand dollars.

For support of two manual labor schools annually, during the pleasure of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, ten thousand dollars.

For pay of two teachers, under the direction of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For purchase of iron and steel, and other necessaries for the same, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For pay of two blacksmiths, one of whom to be a gunsmith and tinsmith, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation of two strikers or apprentices in shop, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, four hundred and eighty dollars.

For third of ten instalments for farming utensils and stock, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand to [two] hundred dollars.

For pay of farmer, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For second of ten instalments for pay of miller, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For second of ten instalments for pay of an engineer, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation to apprentices, to assist in working the mill, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For the second of three instalments for the pay of six laborers, per

seventh article treaty twenty-fourth September, eighteen hundred and fifty-seven, three thousand dollars.

Pottawatomies.—For permanent annuity in silver, per fourth article treaty third August, seventeen hundred and ninety-five, one thousand dollars. Pottawatomies. Vol. vii. p. 61.

For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine, five hundred dollars. Vol. vii. p. 114.

For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, two thousand five hundred dollars. Vol. vii. p. 185.

For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight, two thousand dollars. Vol. vii. p. 317.

For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars. Vol. vii. p. 320.

For life annuity to chief, per third article treaty twentieth October, eighteen hundred and thirty-two, two hundred dollars. Vol. vii. p. 379.

For life annuity to chiefs, per third article treaty twenty-sixth September, eighteen hundred and thirty-three, seven hundred dollars. Vol. vii. p. 432.

For education, during the pleasure of Congress, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and fourth article treaty twenty-seventh October, eighteen hundred and thirty-two, five thousand dollars. Vol. vii. p. 296.

For education, during the pleasure of Congress, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and fourth article treaty twenty-seventh October, eighteen hundred and thirty-two, five thousand dollars. Vol. vii. p. 317.

For permanent provision for the payment of money in lieu of tobacco, iron, and steel, per second article treaty twentieth September, eighteen hundred and twenty-eight, and tenth article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, three hundred dollars. Vol. ix. p. 855.

For permanent provision for three blacksmiths and assistants, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, two thousand one hundred and sixty dollars.

For permanent provision for iron and steel for shops, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, six hundred and sixty dollars.

For permanent provision for fifty barrels of salt, per second article of treaty of twenty-ninth July, eighteen hundred and twenty-nine, two hundred and fifty dollars.

For interest on six hundred and forty-three thousand dollars, at five per centum, per seventh article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, thirty-two thousand one hundred and fifty dollars.

Pottawatomies of Huron.—For permanent annuity in money or otherwise, per second article treaty seventeenth November, eighteen hundred and seven, four hundred dollars. Pottawatomies of Huron. Vol. vii. p. 105.

Quapaws.—For education, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand dollars. Quapaws. Vol. vii. p. 425.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand and sixty dollars.

For farmer, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, six hundred dollars.

Rogue Rivers.—For seventh of sixteen instalments in blankets, clothing, farming utensils, and stock, per third article treaty tenth September, eighteen hundred and fifty-three, two thousand five hundred dollars. Rogue Rivers. Vol. x. p. 1018.

Sacs and Foxes
of Mississippi.
Vol. vii. p. 85.

Sacs and Foxes of Mississippi.—For permanent annuity in goods or otherwise, per third article treaty third November, eighteen hundred and four, one thousand dollars.

Vol. vii. p. 375. For twenty-ninth of thirty instalments as annuity in specie, per third article treaty twenty-first September, eighteen hundred and thirty-two, twenty thousand dollars.

For twenty-ninth of thirty instalments for gunsmith, per fourth article treaty twenty-first September, eighteen hundred and thirty-two, six hundred dollars.

For twenty-ninth of thirty instalments for iron and steel for shop, per fourth article treaty twenty-first September, eighteen hundred and thirty-two, two hundred and twenty dollars.

For twenty-ninth of thirty instalments for blacksmith and assistant, shop and tools, per fourth article treaty twenty-first September, eighteen hundred and thirty-two, eight hundred and forty dollars.

For twenty-ninth of thirty instalments for iron and steel for shop, per fourth article treaty twenty-first September, eighteen hundred and thirty-two, two hundred and twenty dollars.

For twenty-ninth of thirty instalments for forty barrels of salt and forty kegs of tobacco, per fourth article treaty twenty-first September, eighteen hundred and thirty-two, one thousand dollars.

Vol. vii. p. 540. For interest on two hundred thousand dollars, at five per centum, per second article treaty twenty-first October, eighteen hundred and thirty-seven, ten thousand dollars.

Vol. vii. p. 596. For interest on eight hundred thousand dollars, at five per centum, per second article treaty eleventh October, eighteen hundred and forty-two, forty thousand dollars.

Sacs and Foxes
of Missouri.

Vol. vii. p. 540.

Sacs and Foxes of Missouri.—For interest on one hundred and fifty-seven thousand four hundred dollars, at five per centum, under the direction of the President, per second article treaty twenty-first October, eighteen hundred and thirty-seven, seven thousand eight hundred and seventy dollars.

Seminoles.

Vol. xi. p. 702.

Seminoles.—For fourth of ten instalments for the support of schools, per eighth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For the fourth of ten instalments for agricultural assistance, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For the fourth of ten instalments for the support of smiths and smiths' shops, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand two hundred dollars.

For five per centum interest on two hundred and fifty thousand dollars, to be paid as annuity, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

For interest on two hundred and fifty thousand dollars, at five per centum, to be paid as annuity, they having joined their brethren west, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

Senecas.
Vol. vii. p. 161.

Senecas.—For permanent annuity in specie, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, five hundred dollars.

Vol. vii. p. 179.

For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, five hundred dollars.

Vol. vii. p. 349.

For blacksmith and assistant, shop and tools, and iron and steel, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, one thousand and sixty dollars.

For miller, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, six hundred dollars.

Senecas of New York.—For permanent annuity, in lieu of interest on stock, per act of nineteenth February, eighteen hundred and thirty-one, six thousand dollars. Senecas of New York.
1831, ch. 26.
Vol. iv. p. 442.

For interest, in lieu of investment, on seventy-five thousand dollars, at five per centum, per act of twenty-seventh June, eighteen hundred and forty-six, three thousand seven hundred and fifty dollars.

For interest, at five per centum, on forty-three thousand and *and* fifty dollars, transferred from Ontario Bank to the United States treasury, per act of twenty-seventh June, eighteen hundred and forty-six, two thousand one hundred and fifty-two dollars and fifty cents.

Senecas and Shawnees.—For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars. Senecas and Shawnees.
Vol. vii. p. 179.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per fourth article treaty twentieth July, eighteen hundred and thirty-one, one thousand and sixty dollars. Vol. vii. p. 352.

Shawnees.—For permanent annuity for educational purposes, per fourth article treaty third August, seventeen hundred and ninety-five, and third article treaty tenth May, eighteen hundred and fifty-four, one thousand dollars. Shawnees.
Vol. vii. p. 51.
Vol. x. p. 1056.

For the last of seven annual instalments of money, in payment for lands, per third article treaty tenth May, eighteen hundred and fifty-four, one hundred thousand dollars.

For seventh instalment of interest, at five per centum, on forty thousand dollars, for education, per third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.

For permanent annuity for educational purposes, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, and third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars. Vol. vii. p. 160.

Six Nations of New York.—For permanent annuity in clothing and other useful articles, per sixth article treaty eleventh November, seven hundred and ninety-four, four thousand five hundred dollars. Six Nations of New York.
Vol. vii. p. 46.

Sioux of Mississippi.—For interest on three hundred thousand dollars, at five per centum, per second article treaty twenty-ninth September, eighteen hundred and thirty-seven, fifteen thousand dollars. Sioux of Mississippi.
Vol. vii. p. 538.

For tenth of fifty instalments of interest, at five per centum, on one million three hundred and sixty thousand dollars, per fourth article treaty twenty-third July, eighteen hundred and fifty-one, sixty-eight thousand dollars. Vol. x. p. 949.

For tenth of fifty instalments of interest, at five per centum, on one hundred and twelve thousand dollars, being the amount in lieu of the reservations set apart in the third article of Senate's amendment of twenty-third June, eighteen hundred and fifty-two, to treaty twenty-third July, eighteen hundred and fifty-one, five thousand six hundred dollars. Vol. x. p. 951.

For tenth of fifty instalments of interest, at five per centum, on one million one hundred and sixty thousand dollars, per fourth article treaty fifth August, eighteen hundred and fifty-one, fifty-eight thousand dollars. Vol. x. p. 955.

For tenth of fifty instalments of interest, at five per centum, on sixty-nine thousand dollars, being the amount allowed in lieu of the reservation of lands set apart by the third article of Senate's amendment of twenty-third June, eighteen hundred and fifty-two, to treaty fifth August, eighteen hundred and fifty-one, three thousand four hundred and fifty dollars.

Treaty of Fort Laramie.—For the last of ten instalments in provisions and merchandise, for payment of annuities and transportation of the same to certain tribes of Indians, per seventh article treaty seventeenth September, eighteen hundred and fifty-one, and Senate's amendment thereto, seventy thousand dollars. Treaty of Fort Laramie.
Vol. xi. p. 749.

Umpquas (Cow
Creek Band.)
Vol. x. p. 1027.

Umpquas (Cow Creek Band.)—For seventh of twenty instalments in blankets, clothing, provisions and stock, per third article treaty nineteenth September, eighteen hundred and fifty-three, five hundred and fifty dollars.

Umpquas and
Calapooias, of
Umpqua Valley,
Oregon.
Vol. x. p. 1127.

Umpquas and Calapooias, of Umpqua Valley, Oregon.—For sixth of ten instalments for the pay of a blacksmith, and furnishing shop, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand five hundred dollars.

For sixth of fifteen instalments for the pay of a physician and purchase of medicines, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, two thousand dollars.

For sixth of ten instalments for the pay of a farmer, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand dollars.

For sixth of twenty instalments for the pay of a teacher, and purchase of books and stationery, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand four hundred and fifty dollars.

Winnebagoes.

Vol. vii. p. 545.

Winnebagoes.—For interest on one million one hundred thousand dollars, at five per centum, per fourth article treaty first November, eighteen hundred and thirty-seven, fifty-five thousand dollars.

Vol. ix. p. 878.

For fourteenth of thirty instalments of interest on eighty-five thousand dollars, at five per centum, per fourth article treaty thirteenth October, eighteen hundred and forty-six, four thousand two hundred and fifty dollars.

Yancton Tribe
of Sioux.

Vol. xi. p. 744.

Yancton Tribe of Sioux.—For the second of ten instalments to be paid to them, or expended for their benefit, commencing with the year in which they shall remove to, and settle and reside upon their reservation, per fourth article treaty nineteenth April, eighteen hundred and fifty-eight, sixty-five thousand dollars.

Calapooias, Mo-
lalla, and Clack-
amas of Wil-
lamette Valley.
Vol. x. p. 1144.

Calapooias, Molalla, and Clackamas Indians of Willamette Valley.—For first of five instalments of annuity for beneficial purposes, per second article treaty twenty-second January, eighteen hundred and fifty-five, eight thousand dollars.

Indian Service
in New Mexico.

Indian Service in New Mexico.—For the general incidental expenses of the Indian service in New Mexico, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuit of civilized life, to be expended under the direction of the Secretary of the Interior, fifty thousand dollars.

Indian service
in country
leased from
Choctaws.

Indian Service in the district of country leased from the Choctaws for the Indians lately residing in Texas.—For the expenses of colonizing, supporting, and furnishing agricultural implements and stock; pay of necessary employees; purchase of clothing, medicine, iron and steel; establishment and maintenance of schools; and building houses for the Indians lately residing in Texas, in lieu of those abandoned in that State, to be expended under the direction of the Secretary of the Interior, forty-five thousand six hundred and fifty dollars.

Wichitas and
other Affiliated
Bands.

For the Wichitas and other Affiliated Bands.—For the expenses of colonizing, supporting, and furnishing said bands with agricultural implements and stocks; pay of necessary employees; purchase of clothing, medicines, iron and steel; establishment and maintenance of schools, and building agency houses, to be expended under the direction of the Secretary of the Interior, seventy-five thousand six hundred and ten dollars.

Poncas.

Poncas.—For second of five instalments to be paid to them, or expended for their benefit, commencing with the year in which they shall remove to, and settle upon, the tract reserved for their future homes, per second article treaty twelfth March, eighteen hundred and fifty-eight, twelve thousand dollars.

Post, p. 997.

For second of ten instalments for the establishment and maintenance of one or more manual-labor schools, under the direction of the President, per second article treaty twelfth March, eighteen hundred and fifty-eight, five thousand dollars.

Post, p. 997.

For second of ten instalments, or during the pleasure of the President, to be expended in furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of the mill provided for in the first part of this article, as the Secretary of the Interior may consider advantageous and necessary for them, per second article treaty twelfth March, eighteen hundred and fifty-eight, seven thousand five hundred dollars.

Yakama Nation.—For keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

Yakamas.
Post, p. 958.

Confederated Tribes and Bands of Indians in Middle Oregon.—For keeping in repair all necessary mill fixtures, purchase of medicines, mechanics' tools, medicine and hospital stores, books and stationery for schools, and furniture for employees, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, three hundred dollars.

Middle Oregon
Indians.
Post, p. 965.

Indian Service in California.—For the general incidental expenses of the Indian service in California, including travelling expenses of the superintendent, agent, and sub-agents, seven thousand five hundred dollars.

Indian Service
in California.

For defraying the expenses of the removal and subsistence of Indians in California to reservations in that State, and for pay of the necessary employees, fifty thousand dollars: *Provided*, That the Secretary of the Interior may divide the State of California into two Indian districts, and that the President of the United States, by and with the advice and consent of the Senate, shall appoint a superintending agent for each district, at a salary of thirty-six hundred dollars per annum, who, upon executing a bond upon such terms and in such sum and security as the Secretary of the Interior may prescribe, shall have under his control and management, as the Secretary may prescribe, the Indians and reservations in their separate respective districts. Each superintendent may appoint, subject to the confirmation of the Secretary of the Interior, a supervisor for each reservation in his respective district, to instruct the Indians in husbandry, at a salary of eighteen hundred dollars per annum; and also appoint not exceeding four laborers, to aid such supervisor, at a compensation not to exceed fifty dollars per month: *And provided, further*, That all acts, or parts of acts, in conflict with this provision be, and are hereby, repealed.

California may
be divided into
two Indian dis-
tricts.
Post, p. 530.
Superintend-
ent's salary,
bond, &c.

Miscellaneous.—For insurance, transportation, and necessary expenses of the delivery of Pawnee, Ponca, and Yancton Sioux annuity goods and provisions, ten thousand dollars.

Supervisor, &c.

Repeal of con-
flicting laws.

Miscellaneous.
Pawnee, &c.,
annuities.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Indian tribes in Minnesota and Michigan, twenty thousand three hundred and fifty dollars and sixty-two cents.

Indians in
Michigan and
Minnesota.

For expenses of transportation and delivery of annuity goods to the Blackfoot Indians for the year, seventeen thousand dollars.

Blackfoot an-
nuity.

For payment of this amount to the Shawnees, due them under the provisions of the eleventh article of the treaty of the tenth May, eighteen hundred and fifty-four, to be reimburse[d] to the United States when collected from agents Gay and Arnold, against whom suits are pending, three thousand and seventy-four dollars and forty-four cents.

Shawnees.
Vol. x. p. 1057.

For expenses attending the vaccination of Indians for the years eight-hundred and sixty and eighteen hundred and sixty-one, five thousand dollars.

Vaccination.

To enable the Secretary of the Interior to pay settlers for their im-

Improvements
of settlers in
Puget's Sound.

Sound, the value of which shall be ascertained under the direction of the said Secretary, nine thousand dollars.

Mills for Pillager, &c., Chippewas.
Vol. x. p. 1185.

For completing the building of the grist and saw mills at Leech Lake, for the Pillager and Lake Winnebagoish bands of Chippewas, provided for under the third article of the treaty with the Chippewa Indians of the twenty-second February, eighteen hundred and fifty-five, two thousand five hundred dollars.

Lands for Ottowas, &c. in Michigan.

For pay of an engineer for one year, six hundred dollars.
For the purchase of seven hundred and ninety-four seventy-five one hundredths acres of land, owned by the Missionary Society of the Methodist Episcopal Church, at Iriquois Point, Michigan, for certain bands of Ottowas and Chippewas, at the usual government price, nine hundred and ninety-three dollars and forty-four cents.

Payment to Spunk, or Joseph Henson.
Vol. vii. p. 478.

For the payment to Spunk or Bull Frog, alias Joseph Henson, the amount of four hundred dollars, for his valuation of an improvement under the Cherokee treaty of eighteen hundred and thirty-five, in pursuance of the provision of the twenty-fourth section of the act of March three, eighteen hundred and fifty-five, making appropriations for the civil and diplomatic expenses of the government, four hundred dollars.

1855, ch. 175,
§ 24.
Vol. x. p. 673.

Indian service in Utah.

For the general incidental expenses of the Indian service in the Territory of Utah, presents of goods, agricultural implements, and other useful articles, including the travelling expenses of the superintendent, agents, clerk hire, and so forth, forty-five thousand dollars.

in Oregon and Washington.

For surveying and mapping four farms and reservations, one thousand two hundred dollars.

For the general incidental expenses of the Indian service in Oregon and Washington, including insurance and transportation of annuities, goods, and presents, where no special provision is made by treaties, and office and travelling expenses of the superintendent, agents, and sub-agents, for the year ending thirtieth June, eighteen hundred and sixty-one, thirty-five thousand dollars.

Surveys of reservations of Nez Percés, &c.

For surveys of reservations for the Nez Percés, Flathead and Yakamas Indians, and the Indians west of the Cascade Mountains, fifteen thousand dollars.

Transportation &c. of annuities to Flatheads, &c.

For insurance, transportation, and the necessary expenses of delivery of annuities, goods, and provisions to Yakamas, Flatheads, and Nez Percés, for the years ending thirtieth June, eighteen hundred and sixty, and thirtieth June, eighteen hundred and sixty-one, forty-two thousand dollars.

Yakamas.
Post, p. 958.

For the first of five instalments due and payable to the Yakamas nation, for the year ending the thirtieth of June, eighteen hundred and sixty, per fourth article of treaty of ninth of June, eighteen hundred and fifty-five, ten thousand dollars.

Nez Percés.
Post, p. 958.

For the first of five instalments due and payable to the Nez Percés, Indians, for the year ending the thirtieth of June, eighteen hundred and sixty, per fourth article of treaty of eleventh June, eighteen hundred and fifty-five, ten thousand dollars.

Head chiefs of Flatheads, &c.
Post, p. 977.

For the pay of each of the head chiefs of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes, for the year ending the thirtieth June, eighteen hundred and sixty, per fifth article of treaty of sixteenth July, eighteen hundred and fifty-five, one thousand dollars.

For the pay of each of the head chiefs of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes, for the year ending the thirtieth June, eighteen hundred and sixty-one, per fifth article of treaty of sixteenth July, eighteen hundred and fifty-five, one thousand dollars.

Pay for damages, at Spirit Lake, by Ink-pa-ju-tah's band.

For loss and destruction of property of citizens of Minnesota and Iowa, at Spirit Lake, in the year eighteen hundred and fifty-seven, by Ink-pa-du-tah's band of Sioux Indians, accruing under the provisions of the act of Congress approved thirtieth June, eighteen hundred and thirty-four, sixteen thousand six hundred and seventy-nine dollars and ninety

1834, ch. 161.
Vol. iv. p. 729.

seven cents: *Provided*, The Secretary of the Interior shall first cause the true amounts of such losses of property to be investigated and adjusted in a manner satisfactory to him, and the amounts so ascertained shall be paid to the claimants, respectively, in full satisfaction thereof.

Amounts to be adjusted.

For the purchase and transportation of provisions and presents, and to meet expenses necessary in holding a council with the Red Lake and Red River Chippewas, in the State of Minnesota, for the extinguishment of their title to lands in that State, said Indians numbering about two thousand souls, ten thousand dollars: *Provided*, That the goods purchased in eighteen hundred and fifty-eight for the Yanctonnais band of Sioux, the reception of which was declined by them, may be used in the negotiations with the said Chippewas of Red Lake and Red River.

Negotiations with Red Lake, &c. Chippewas.

Proviso.

For payment to Merit L. Young, for one hundred and forty thousand rations, for subsistence furnished to emigrating Pottawotomies, Chippewas and Ottowas, in eighteen hundred and fifty-two, under a contract with the Indian department, and allowed by Commissioner of Indian Affairs, nine thousand six hundred and twenty-five dollars.

Payment to Merit L. Young.

For the purchase and transportation of provisions and presents, and to meet expenses necessary in holding a council with the Arapahoe and Chienne Indians south of the Platte, east of the Rocky Mountains, and north of the Arkansas River, thirty-five thousand dollars.

Negotiations with the Arapahoe and Chienne Indians.

APPROVED, June 19, 1860.

CHAP. CLVIII.—An Act to authorize Divorces in the District of Columbia, and for other Purposes.

June 19, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the circuit court for the District of Columbia shall have jurisdiction of all applications for divorces, to be made by petition, upon which the same proceedings shall be had as are had in other cases, except so far as is otherwise hereinafter provided.

Jurisdiction over divorces in circuit court.

SEC. 2. *And be it further enacted*, That the petition for a divorce shall specify the causes therefor with certainty; and upon the same being filed, the clerk shall issue summons for the defendant to appear and answer. If it shall appear by the affidavit of a disinterested witness that the defendant is a non-resident of this District, or has been absent therefrom for the space of six months, the circuit court, after the return of one summons not found, may authorize notice of the pendency of the petition, to be given by publication, in such manner as it shall direct. The court shall proceed to hear and determine such cause, whenever such summons shall have been served twenty days, or such publication made forty days before the commencement of the term. No judgment for a divorce shall be rendered on default without proof; nor shall any admissions contained in the answer of the defendant be taken as proof of the facts charged as the ground of the application, but the same shall in all cases be proved by other evidence.

Petition; notice to respondent; hearing; judgment.

Admissions in answer not to be evidence.

SEC. 3. *And be it further enacted*, That a divorce *a vinculo matrimonii*, from the bond of marriage, may be granted in any of the following cases, to wit:

Causes for divorce from bond of matrimony.

First. Where such marriage was contracted whilst either of the parties thereto had a former wife or husband living, unless the former marriage shall have been lawfully dissolved, and no restraint shall have been imposed on the party contracting such second marriage.

Former husband or wife living, &c.

Second. Where such marriage was contracted during the lunacy of either party, or where either party was matrimonially incapacitated at the time of the marriage.

Lunacy; impotency.

Third. Where either party has committed adultery during the marriage.

Adultery.

SEC. 4. *And be it further enacted*, That a divorce *a mensa et thoro* from bed and board may be granted for either of the following causes, to wit:

Causes for divorce from bed and board.

cruelty of treatment, endangering the life or health of one of the parties; reasonable apprehension, to the satisfaction of the court, of bodily harm; the wilful desertion and abandonment by the party complained against of the party complaining for the full uninterrupted space of three years.

Not to be granted for cause occurring out of District, unless, &c.

SEC. 5. *And be it further enacted*, That no divorce shall be granted for any cause which shall have occurred out of this District, unless the party applying for the same shall have resided within the District for two years next preceding the application.

Issue of what marriages thus dissolved to be legitimate.

SEC. 6. *And be it further enacted*, That upon the dissolution of a marriage on account of either of the parties having a former wife or husband living, if it shall appear that the second marriage was contracted in good faith by the party whose second marriage has been thus dissolved, and with the full belief on his or her part that the former wife or husband was dead, that fact shall be stated in the judgment or sentence of divorce; and the issue of such second marriage, born or begotten before the commencement of the suit, shall be deemed to be the legitimate issue of the parent who, at the time of the marriage, was capable of contracting.

Same subject.

SEC. 7. *And be it further enacted*, That upon the dissolution of a marriage on account of the lunacy of either party at the time of such marriage, the issue of the marriage shall be deemed to be legitimate.

Same subject.

SEC. 8. *And be it further enacted*, That a divorce for causes not hereinbefore specially provided for, shall not affect the legitimacy of the issue of the marriage; but the legitimacy of such issue, if questioned, shall be tried and determined, according to the course of the common law.

Court granting divorce may allow to wife alimony, dower, her separate property, and former name.

SEC. 9. *And be it further enacted*, That in all cases where a divorce is granted, the court allowing the same shall have power, if it see fit, to award alimony to the wife, and to retain her right of dower, and to award to the wife such property, or the value thereof, as she had when she was married, or such part, or the value thereof, as the court may deem reasonable, having a regard to the circumstances of the husband at the time of the divorce. The court may also, in granting a divorce *a vinculo matrimonii*, restore to the wife her maiden or other previous name.

Custody of children and their maintenance.

SEC. 10. *And be it further enacted*, That the court shall also have power to order and direct, in every case of divorce, who shall have the guardianship and custody of the children of the marriage so divorced, and who shall be charged with their maintenance.

Alimony pending petition.

SEC. 11. *And be it further enacted*, That the court may also award alimony to the wife for her sustenance during the pendency of a petition for a divorce filed for any of the causes aforesaid.

Adultery by wife after divorce from bed and board, to be cause for depriving her of alimony, custody of children, &c.

SEC. 12. *And be it further enacted*, That, in case of adultery by the wife, committed after judgment or sentence of divorce *a mensa et thoro*, the court may, on the petition of the husband setting forth and accompanied by legal proof of such adultery, deprive the wife of alimony from the date of her said criminal act, and rescind her right of dower, as well as dispossess her, if the court judge fit, of the care, custody, and guardianship of any child or children, which, under the original judgment of the court in granting the divorce, may have been assigned to her.

Proceedings where wife is deserted by husband.

SEC. 13. *And be it further enacted*, That a wife deserted by her husband may, at any time after such desertion, apply to the court in session, or to either one of the judges thereof, when the court is not in session, for an order to protect any money or other property, real or personal, of which she may have become possessed after such desertion, against her husband or his creditors or any one claiming through or under him; and the court or a judge thereof, as the case may be, if the fact of such desertion be proved by evidence other than that of the wife herself, and that the same was without reasonable cause, and that the wife is maintaining herself by her own industry or property, may make and give to the wife an order protecting her earnings, money, and property aforesaid, real or

personal, acquired since the commencement of such desertion, from her husband and all creditors and persons claiming through or under him, and such earnings, money, or property aforesaid shall belong to the wife as if she were a *feme sole*: *Provided, always*, That every such order shall, within ten days after the making and giving thereof, be entered by the clerk of the court on the records of the county of Washington, in the District of Columbia; and that it shall be lawful for the husband and any creditor claiming through or under him, to apply to the court in session for the discharge thereof, and he may obtain it if, in the judgment of the court, good cause shall be shown why such order, by reason of fraud or of repugnance to the objects of this section, should not have been first made and given: *Provided, also*, That if the husband, or any creditor of or person claiming through or under him, shall seize or continue to hold any property of the wife after notice and record of any such order, then the husband or such person shall be liable at the suit of the wife (which she is hereby empowered to bring) to restore to her the specific property, and also for a sum equal to double the value of the property so seized or held after such notice aforesaid; and if any such order of protection be made, the wife shall, during the continuance thereof, be and be deemed to have been, during such desertion of her, in the like position in all respects with regard to property and contracts and suing and being sued as she would be if a *feme sole*.

Proviso.

Proviso.

APPROVED, June 19, 1860.

CHAP. CLXII.—*An Act making Appropriations for Light-Houses, Beacons, Buoys, and so forth.* June 20, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following appropriations be, and the same are hereby, made, and directed to be paid, out of any money in the treasury not otherwise appropriated, to enable the Secretary of the Treasury to carry the provisions of this act into effect: *Provided, however*, That if a good title to any land, which it may be necessary to use, cannot be obtained on reasonable terms, or the exclusive right to such land cannot be acquired by cession, when the interest of the United States demands it, before the appropriation would by law fall into the surplus fund, in any and all such cases the appropriations shall be applicable to the objects for which they are made, at any time within two years after the first meeting of the legislature of any State wherein such land may be situated, subsequent to the passage of this act, to wit:

Appropriations.

Proviso.

Saving of the appropriations falling into the surplus fund.

Massachusetts.—For a light-house at Duxbury, in Plymouth harbor, five thousand dollars. Massachusetts.

For the purchase of a suitable lot of land, and the erection thereon of a building for the use of the Light-house Board, at Wood's Hole, Great Harbor, in the town of Falmouth, five thousand dollars.

For a light-ship or light-house, in the discretion of the Secretary of the Treasury, on the recommendation of the Light-house Board, on, or near, the "Hen and Chickens," at the entrance of Buzzard's Bay, thirty-five thousand dollars.

For a survey to determine the proper site for a light-house at, or near, the "Sow and Pigs," at the entrance of Buzzard's Bay, one thousand dollars.

Rhode Island.—For the establishment of beacons on Connimicut Point and Bullock's Point, in Providence River, three thousand dollars. Rhode Island.

For a survey of and for buoying out Seekonk River, between Seekonk and Providence, five hundred dollars.

Connecticut.—For the re-establishment and alteration of the beacon light on Long Wharf, at New Haven, two thousand dollars. Connecticut.

For a fog bell to be rung by machinery at the Stratford light-house, twelve hundred dollars.

For enabling the Light-house Board, under the direction of the Secretary of the Treasury, to experiment with Daboll's and other ear signals, and to purchase the signal erected by Daboll, and now in operation at New London, six thousand dollars.

Daboll's ear signal.

New York.—For the erection of a stone beacon on Mill Reef, five thousand dollars.

For three beacon lights upon the Hudson River, between Albany and Troy, two thousand dollars.

For a beacon light at Oak Orchard, Lake Ontario, three thousand five hundred dollars.

Michigan.

Michigan.—For rebuilding the towers at White Fish Point, Detour, and Manitou Island, all on the coast of Lake Superior, forty-five thousand dollars.

For a light-house at Bertraw Bay, six thousand dollars.

For a light-house at, or near, Tawas City, six thousand dollars.

For a light-house at the mouth of Manistee River, five thousand dollars.

For one or two beacon lights, at the discretion of the Secretary of the Treasury, at the entrance to Grand Island Bay and harbor, Lake Superior, six thousand dollars.

For a fog bell at Grand Haven light-house, fifteen hundred dollars.

For a range of lights for Copper Harbor, Lake Superior, with a fog bell, or such other ear signal as the Secretary of the Treasury, on the recommendation of the Light-house Board, may adopt, thirty-five hundred dollars.

For a light-house at, or near, Old Fort Mackinaw, six thousand dollars.

Wisconsin.

Wisconsin.—For the construction of a light-house pier and light-house at Milwaukee, in lieu of the North Cut beacon light at that place, fifty thousand dollars.

For a fog bell at Port du Morts light-house, fifteen hundred dollars.

For a light-house at Kewaunee, six thousand dollars.

For the construction of a suitable beacon light at the port of Racine, thirty thousand one hundred dollars.

To enable the Secretary of the Treasury to pay to Peter Campan one hundred and fourteen dollars and fifty-eight cents.

New Jersey.

New Jersey.—For rebuilding the two light-house towers at Nave Sink, and fitting the same with proper apparatus, seventy-two thousand nine hundred and forty-one dollars.

North Carolina.

North Carolina.—For re-establishing the Beacon Island light-house and constructing in connexion therewith a beacon light to form a range for running the Ocracoke Inlet, five thousand dollars.

For a beacon light at a suitable point at or near Cape Hatteras Inlet, five thousand dollars.

For a new light-house at the mouth of Cape Fear River, in lieu of the present structure, forty thousand dollars.

For buoying Beaufort Harbor and Bogue Sound, one thousand dollars.

For the erection of a light-house at the mouth of North River (Albemarle Sound) ten thousand dollars.

Louisiana.

Louisiana.—For a light-house at the mouth of Calcasieu River, seven thousand five hundred dollars.

Virginia.

Virginia.—For the construction of a first-class light-house at Assateague, in lieu of the present light-house, fifty thousand dollars.

For buoying the approaches to the canal connecting the waters of the Chesapeake Bay with Albemarle Sound, five hundred dollars.

For the completion of the tower and keeper's dwelling at Cape Charles, ten thousand two hundred dollars.

Mississippi.

Mississippi.—For a new light-house at Pass Christian, in lieu of the old light now at that place, one thousand dollars: *Provided*, That the old light-house and site now at that point be sold by the Light-house Board under the authority of the Secretary of the Treasury, and the proceeds

Sale of old light-house.

of said sale applied in aid of the sum hereby appropriated for the construction of said light-house.

California.—For a first-class light-house at Cape Mendocino, being the extreme western point of land on the Pacific coast, eighty thousand dollars.

California.

For a light-house at Trinidad Bay, twenty thousand dollars.

For a light-house on Point del Reys, about twenty-eight miles north of the Golden Gate, forty thousand dollars, and for fog or ear signals, to be erected in connection therewith, upon the recommendation of the Light-house Board, under the direction of the Secretary of the Treasury, two thousand five hundred dollars.

For buoying out the channel and the bar at the entrance of Humboldt Bay, and for three movable beacons to be provided with lens lanterns, to be kept in range with the channel, ten thousand dollars.

Washington Territory.—For a light-house at Gray's Harbor, and for buoying out the channel and bar at said harbor, twenty thousand dollars.

Washington Territory.

For buoying out the channel of the Columbia River, from the mouth of the Willamette River to the cascade of the Columbia River, five thousand dollars.

SEC. 2. *And be it further enacted,* That no portion of the money herein appropriated for the erection of any light-house or beacon light shall be expended until plans shall be furnished, and contracts made, for the entire completion of the said light-house or beacon light for the sum herein appropriated.

Money not to be expended until plans and contracts are made for completion for sum appropriated.

SEC. 3. *And be it further enacted,* That the sum of twenty thousand dollars be, and the same is hereby, appropriated and directed to be paid, out of any money in the treasury not otherwise appropriated, for the establishment at the points herein named of such ear signals as may prove to be satisfactory under the experiments hereinbefore authorized to be made, that is to say: At West Quoddy Head and Boone Island, in Maine; at Boston, in Massachusetts; at Sandy Hook, in New York; at Charleston, in South Carolina; at Savannah, Georgia; at the Southwest Pass of the Mississippi River; and at Galveston.

\$20,000 for testing ear signals.

SEC. 4. *And be it further enacted,* That if preliminary surveys are required to ascertain the necessity for any light-house or other aid provided in this bill, or to determine the proper site for the same, or to ascertain more fully what the public exigency requires, the Secretary of the Treasury shall cause the necessary examinations and surveys on the sea-board to be made, under the direction of the Superintendent of the Coast Survey, and those on the lakes to be made under the direction of the Bureau of Topographical Engineers; and in all cases in which adverse reports are made, they shall be submitted to Congress at its next session; and in all cases in which the objects authorized are favorably reported upon, the works may be commenced immediately, after valid titles and State jurisdiction shall have been obtained to the sites.

Necessary preliminary surveys for sites for light-houses, how made.

If reports are adverse.

If favorable.

SEC. 5. *And be it further enacted,* That the Secretary of the Treasury, on the recommendation of the Light-house Board, be, and he is hereby, authorized, in his discretion, to re-establish, from time to time, such lights as may have been, or may hereafter be, discontinued as useless, under the authority conferred by the act of third March, eighteen hundred and fifty-nine, entitled "An act making appropriations for light-houses," and so forth, whenever, in the judgment of the Secretary of the Treasury, upon the recommendation of the Light-house Board, such re-establishment is required by public convenience or the necessities of commerce.

Secretary of Treasury may re-establish discontinued light-houses on recommendation of Light-house Board.

1859, ch. 81, § 3. Vol. xi. p. 424.

SEC. 6. *And be it further enacted,* That so much of the act approved March three, eighteen hundred and fifty-nine, as authorizes the erection of range beacons, for crossing the bar and entering Galveston Bay, Texas, in place of the light vessel at that place, be and the same is hereby, repealed, and the light vessel is hereby directed to be restored.

Light vessel to be restored at Galveston Bay, Texas. 1859, ch. 81. Vol. xi. p. 424.

June 21, 1860. CHAP. CLXIII.—*An Act making Appropriations for the Support of the Army for the Year ending the thirtieth of June, eighteen hundred and sixty-one.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-one :

Appropriations.

For expenses of recruiting, transportation of recruits, three months' extra pay to non-commissioned officers, musicians, and privates on re-enlistment, fifty thousand dollars.

Recruiting and reenlistment.

For pay of the army, three million five hundred and ninety-one thousand seven hundred and eighty-four dollars.

Pay.

For commutation of officers' subsistence, nine hundred and ninety-eight thousand four hundred and thirty-four dollars and fifty cents.

Commutation of subsistence and forage.

For commutation of forage for officers' horses, one hundred and twenty-four thousand one hundred and twenty-eight dollars.

Clothing.

For payments to discharged soldiers for clothing not drawn, fifty thousand dollars.

For payments in lieu of clothing for officers' servants, thirty-nine thousand eight hundred and ninety dollars.

Subsistence in kind.

For subsistence in kind, two million and fifty-eight thousand six hundred dollars.

Clothing, &c.

For clothing for the army, camp and garrison equipage, and iron beds for barracks, eight hundred and thirty-two thousand nine hundred and eighty-one dollars and twelve cents.

Quartermaster's department.

For the regular supplies of the quartermaster's department, consisting of fuel for the officers, enlisted men, guard, hospitals, storehouses and offices; of forage in kind for the horses, mules, and oxen of the quartermaster's department at the several posts and stations, and with the armies in the field; for the horses of the two regiments of dragoons, the two regiments of cavalry, the regiment of mounted riflemen, the companies of light artillery, and such companies of infantry as may be mounted and for the authorized number of officers' horses when serving in the field and at the outpost, including bedding for the animals; of straw for soldiers' bedding, and of stationery, including blank books for the quartermaster's department, certificates for discharged soldiers, blank forms for the pay and quartermaster's departments; and for the printing of division and department orders and reports, one million five hundred and eighty thousand dollars.

Incidental expenses.

For the incidental expenses of the quartermaster's department, consisting of postage on letters and packets received and sent by officers of the army on public service; expenses of courts-martial and courts of inquiry, including the additional compensation of judge advocates, recorders, members, and witnesses, while on that service, under the act of March sixteenth, eighteen hundred and two; extra pay to soldiers employed, under the direction of the quartermaster's department, in the erection of barracks, quarters, storehouses, and hospitals; in the construction of roads, and on other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department headquarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers and to trains where military escorts cannot be furnished; expense of the interment of officers killed in action, or who die when on duty in the field, or at the posts on the frontiers, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the quartermaster's department, including the hire of interpreters, spies, and guides for the army, compensation of clerks of the officers of the quartermaster's department; compensation of forage and

1802, ch. 9,
§§ 21, 22.
Vol. ii. p. 136.

1819, ch. 45.
Vol. iii. p. 488.
1854, ch. 247,
§ 6.
Vol. x. p. 576.

wagonmasters, authorized by the act of July fifth, eighteen hundred and thirty-eight; for the apprehension of deserters, and the expenses incident to their pursuit; and for the following expenditures required for the two regiments of dragoons, the two regiments of cavalry, the regiment of mounted riflemen, and such companies of infantry as may be mounted, viz.: the purchase of travelling forges, blacksmiths' and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, picket ropes, and for shoeing the horses of the corps named, four hundred and seventy-five thousand dollars.

1838, ch. 162,
§ 10.
Vol. v. p. 257.

For constructing barracks and other buildings at posts which it may be necessary to occupy during the year; for repairing, altering, and enlarging buildings at the established posts, including hire or commutation of quarters for officers on military duty; hire of quarters for troops; of storehouses for the keeping of military stores; of grounds for summer cantonments; for temporary frontier stations, including fifteen thousand dollars for the purchase of stoves, three hundred and fifty-nine thousand three hundred and fifty-one dollars and fifty-four cents, to be expended as follows; viz:

Barracks, &c.

How expended.

For rents, including hire or commutation of quarters for officers on military duty, hire of quarters for troops, of storehouses for the safe-keeping of military stores, of grounds for summer cantonments, and construction and repairs of barracks at temporary frontier stations, for the purchase of stoves, and six hundred and eight dollars and eighty-seven cents to be paid as back rent for the site of Fort Davis, Texas, one hundred and ninety-five thousand two hundred and forty-six dollars and twenty-nine cents;—

For repairing, altering and enlarging buildings at established military posts, one hundred and thirty-five thousand, five hundred and forty-seven dollars;—

For constructing barracks and other buildings at the following posts, to wit: At Barrancas barracks, Key West, Fort Mackinac, in the department of the east, twenty thousand five hundred and seventy-eight dollars and fifty cents; at Benicia barracks in the department of California, three hundred and six dollars and seventy-five cents; at Fort Vancouver in the department of Oregon, seven thousand six hundred and seventy-three dollars.

For mileage, or the allowance made to officers of the army for the transportation of themselves and their baggage, when travelling on duty without troops, escorts, or supplies, one hundred and twenty-five thousand dollars.

Mileage of officers.

For transportation of the army, including the baggage of the troops when moving either by land or water; of clothing, camp, and garrison equipage, from the depot at Philadelphia to the several posts and army depots, and from those depots to the troops in the field; of horse equipments, and of subsistence from the places of purchase and from the places of delivery under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small arms from founderies and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls, and ferriages; for the purchase and hire of horses, mules, and oxen, and the purchase and repair of wagons, carts, and drays, and of ships, and other sea-going vessels, and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; and for procuring water at such posts as, from their situation, require that it be brought from a distance; and for clearing roads, and removing obstructions therein

Transportation.

Water.
Roads.

to the extent which may be required for the actual operations of the troops on the frontier, two million three hundred and sixty thousand dollars.

Horses. For the purchase of horses for the two regiments of dragoons, the two regiments of cavalry, and the regiment of mounted riflemen, one hundred and fifteen thousand dollars.

Contingencies. For contingencies of the army, twenty-five thousand dollars.

Medical, &c., departments. For the medical and hospital departments, seventy-six thousand two hundred and twenty-five dollars and fifty cents.

Miscellaneous. For contingent expenses of the adjutant-general's department at department headquarters, five hundred dollars.

For compensation of the clerk and messenger in the office of the commanding-general, two thousand dollars.

For contingent expenses of the office of the commanding-general, three hundred dollars.

Fortifications. For armament of fortifications, two hundred thousand dollars.

For the current expenses of the ordnance service, one hundred and fifty-six thousand dollars.

Ordnance, &c. For ordnance, ordnance stores, and supplies, including horse equipments for the mounted regiments, two hundred and fifty thousand dollars.

For horses and horse medicines for the batteries of light artillery, thirty thousand dollars.

Manufacture of arms. For the manufacture of arms at the national armories, two hundred and fifty thousand dollars.

Springfield armory. For repairs and improvements and new machinery at Springfield armory, Massachusetts, of which twelve thousand dollars may be applied to the purchase of land on the north side of the new water shops, sixty-three thousand six hundred and twenty-five dollars.

Harper's Ferry. For repairs and improvements and new machinery at Harper's Ferry armory, sixty-five thousand five hundred dollars.

Arsenals. For the Allegheny arsenal, six thousand three hundred and fifty-eight dollars.

For the Benicia arsenal, fifty thousand dollars.

For Charleston arsenal, fifteen thousand dollars.

For Fort Monroe arsenal, twenty-three thousand four hundred and fifty dollars.

For New York arsenal, one thousand one hundred dollars.

For North Carolina arsenal, repairs, and gas fixtures, five thousand five hundred dollars.

For St. Louis arsenal, three thousand seven hundred and fifty dollars.

For Texas arsenal, forty-three thousand dollars.

For Washington arsenal, two thousand five hundred dollars.

For Watertown arsenal, two thousand five hundred dollars.

For Watervliet arsenal, eleven thousand dollars.

For contingencies of arsenals, twenty thousand dollars.

Military surveys, &c. For surveys for military defences, geographical explorations, and reconnoissances for military purposes, and surveys with the armies in the field, fifty thousand dollars.

For purchase and repairs of instruments, ten thousand dollars.

For printing charts of lake surveys, ten thousand dollars.

For continuing the survey of the northern and northwestern lakes, including Lake Superior, seventy-five thousand dollars.

Apparatus, &c. for field signals. For the manufacture or purchase of apparatus and equipments for field signals, two thousand dollars. And that there be added to the staff of the

Signal officer. army one signal officer, with the rank, pay, and allowances of a major of cavalry, who shall have charge, under the direction of the Secretary of War, of all signal duty, and of all books, papers, and apparatus connected therewith.

Sites, &c. for posts near valley. For surveys and selections of sites, and for plans and estimates for

military posts on or near the valley of the Red River of the North, between the forty-sixth and forty-ninth degrees of north latitude, and at or near Fort Cobb, in the Indian Territory, five thousand dollars, and that a report thereon be made to the next session of Congress.

For reconstructing the stables at Carlisle barracks, eight thousand and fifty dollars.

To enable the Third Auditor of the Treasury to settle the suspended accounts of officers for disbursements through the quartermaster-general's department for supplies furnished and stores transported for the three companies of volunteers called into the service of the United States in the Territory of Kansas, in eighteen hundred and fifty-six, by authority of the War Department, the sum of five thousand dollars, or so much thereof as may be necessary.

To enable the Secretary of the Interior to restore to their relatives in Wisconsin four orphan children of Edward Miltimore, whose parents and brothers and sisters were massacred on or about the thirty-first day of August, eighteen hundred and fifty-nine, about one hundred miles north of Salt Lake City, by a party of Indians, (or Mormons disguised as such,) and who escaped the massacre and found refuge at Camp Floyd, fifteen hundred dollars.

SEC. 2. *And be it further enacted,* That there be added to the medical corps of the army four surgeons and four assistant surgeons, to be appointed in accordance with the existing laws.

SEC. 3. *And be it further enacted,* That the following sums be, and they are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the following fortifications :

- Fort Montgomery, Lake Champlain, New York, ten thousand dollars. Fort Montgomery.
- Fort Knox, Penobscot Bay, Maine, twenty thousand dollars. Fort Knox.
- Fort on Hog Island Ledge, Portland harbor, Maine, thirty thousand dollars. Hog Island Ledge.
- Fort Winthrop, Boston harbor, Massachusetts, ten thousand dollars. Fort Winthrop.
- Fort at the entrance of New Bedford harbor, Massachusetts, twenty-five thousand dollars. at New Bedford.
- Fort Adams, Newport harbor, Rhode Island, five thousand dollars. Fort Adams.
- Fort Richmond, Staten Island, New York, fifteen thousand dollars. Fort Richmond.
- Fort on the site of Fort Tompkins, Staten Island, New York, twenty-five thousand dollars. at Staten Island.
- Additional batteries at Fort Hamilton, at the Narrows, New York, fifty thousand dollars. Fort Hamilton.
- Fort Carroll, Baltimore harbor, Maryland, fifty thousand dollars. Fort Carroll.
- Fort Delaware, Delaware River, fifty thousand dollars. Fort Delaware.
- Fort Monroe, Hampton Roads, Virginia, five thousand dollars. Fort Monroe.
- Artesian well at Fort Monroe, six thousand dollars.
- Repairing government bridge over Mill Creek, near Fort Monroe, five hundred dollars.
- Fort Calhoun, Hampton Roads, Virginia, fifty thousand dollars. Fort Calhoun.
- Repairs of Fort Moultrie, Charleston harbor, South Carolina, eight thousand five hundred dollars. Fort Moultrie.
- Fort Clinch, Amelia Island, Florida, thirty thousand dollars. Fort Clinch.
- Fort Taylor, Key West, Florida, seventy thousand dollars. Fort Taylor.
- Fort Jefferson, Garden Key, Florida, seventy-five thousand dollars. Fort Jefferson.
- Fort McRee, and preservation of site, Pensacola, Florida, ten thousand dollars. Fort McRee.
- Fort Gaines, Dauphin Island, Mobile Bay, Alabama, twenty thousand dollars. Fort Gaines.
- Fortifications on Ship Island, coast of Mississippi, twenty thousand dollars. at Ship Island.
- Fort Jackson, on Mississippi River, fifteen thousand dollars. Fort Jackson.
- Fort St. Philip, on Mississippi River, ten thousand dollars. Fort St. Philip.

of Red River of the North.

Report to be made.

Carlisle barracks.

Expenses of volunteers in Kansas in 1856.

Children of Edward Miltimore.

Medical corps to be increased.

Appropriation for fortifications.

Fort Montgomery.

Fort Knox.

Hog Island Ledge.

Fort Winthrop.

at New Bedford.

Fort Adams.

Fort Richmond.

at Staten Island.

Fort Hamilton.

Fort Carroll.

Fort Delaware.

Fort Monroe.

Fort Calhoun.

Fort Moultrie.

Fort Clinch.

Fort Taylor.

Fort Jefferson.

Fort McRee.

Fort Gaines.

at Ship Island.

Fort Jackson.

Fort St. Philip.

Fort at Galveston harbor.

Fortifications for defence of entrance into Galveston harbor, twenty thousand dollars.

Fort Point.

Fort at Fort Point, San Francisco, including outworks, fifty thousand dollars.

at Alcatraz Island.

Fort at Alcatraz Island, San Francisco Bay, California, twenty-five thousand dollars.

Contingent expenses.

Contingent expenses of fortifications, preservation of sites, protection of titles, and repair of sudden damage, thirty thousand dollars.

Sugar and coffee to non-commissioned officers, &c.

SEC. 4. *And be it further enacted*, That the allowance of sugar and coffee to the non-commissioned officers, musicians and privates of the army, as fixed by the seventeenth section of the act of the fifth of July, eighteen hundred and thirty-eight, shall hereafter be ten pounds of coffee and fifteen pounds of sugar for every one hundred rations.

1838, ch. 162, § 17, Vol. v. p. 258.

Payment to Iowa for expenses of defence against the Indians.

SEC. 5. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized and directed, out of any money in the treasury not otherwise appropriated, to pay to the State of Iowa such sums of money as were paid by that State to troops called out by the governor of Iowa in eighteen hundred and fifty-seven, eighteen hundred and fifty-eight, and eighteen hundred and fifty-nine, to protect the frontier from Indian incursions: *Provided*, The secretary shall be satisfied that there was a necessity for calling out these troops; that the amounts have been actually paid by the State; that no greater pay or allowances be given than were received by officers and soldiers of equal grade at that period in the United States army, and that the amount so to be paid shall not exceed the sum of eighteen thousand nine hundred and eighty-eight dollars and eighty-four cents: *Provided further*, That compensation shall only be allowed for the period during which said troops were actively employed in military service.

Proviso.

Proviso.

Payment to Texas.
1859, ch. 83, § 2, Vol. xi. p. 484.

SEC. 6. *And be it further enacted*, That the provisions of the second section of the act of third March, eighteen hundred and fifty-nine, chapter eighty-three, be extended so as to include all the moneys advanced by the State of Texas in payment of volunteers called out in defence of the frontier of that State, since the twenty-eighth of February, eighteen hundred and fifty-five: *Provided*, The Secretary of War shall be satisfied that there was necessity for calling out these troops, that they were called out by competent authority, and that the amount so claimed was actually paid by the said State. And that the amount hereby provided for shall not exceed the sum of one hundred and twenty-three thousand five hundred and forty-four dollars and fifty-one cents: *Provided further*, That compensation shall only be allowed for the period during which said troops were actively employed in military service.

Proviso.

Proviso.

Pay and allowances of militia of New Mexico, called out in 1854.
1857, ch. 106, § 12, Vol. xi. p. 205.

SEC. 7. *And be it further enacted*, That the twelfth section of the act of third March, eighteen hundred and fifty-seven, be extended so as to embrace the pay proper and allowances of the militia of New Mexico therein named: *Provided*, They shall receive no greater pay and allowances than were given to officers and soldiers of equal grade at that period in the United States service, and that the amount hereby appropriated shall not exceed the sum of seventy-four thousand and nine dollars: *Provided further*, That compensation shall only be allowed for the period during which said troops were actively employed in military service.

Proviso.

Proviso.

Commission upon United States Military Academy, appointment and report of.

SEC. 8. *And be it further enacted*, That upon the passage of this act, or as soon thereafter as practicable, a commission shall be appointed, in the manner hereinafter designated, to consist of two senators, two members of the House of Representatives, and two officers of the army, which commission shall examine into the organization, system of discipline, and course of instruction of the United States Military Academy, with a view to ascertain what modification, or changes, if any, are desirable in order that the academy shall best accomplish the objects of its establishment. That the said commission shall report the result of its examination to the

Post, p. 125.

President of the Senate and Speaker of the House of Representatives. That the commissioners from the Senate shall be appointed by the President of the Senate, those from the House of Representatives by the Speaker of the House, and those from the army by the President of the United States.

SEC. 9. *And be it further enacted*, That the sum of fifteen hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to defray the expenses of said commission. Expenses of commission. *Post*, p. 125.

SEC. 10. *And be it further enacted*, That the lot of land in the city of San Antonio, Texas, given to the United States on the fifth day of March, eighteen hundred and fifty-seven, as a site for an arsenal and barracks, but for which it has been found to be unsuitable, be, and the same is, reconveyed to the said city of San Antonio. Lot of land in San Antonio, Texas.

APPROVED, June 21, 1860.

CHAP. CLXIV.—*An Act providing for the Punishment of Marshals and Deputy Marshalls of the United States, or other Ministerial Officers, for permitting the Escape of Prisoners in their Custody.* June 21, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any marshal, deputy marshal, or other ministerial officer, shall have in his custody any prisoner by virtue of process issued under the laws of the United States by any court, judge, or commissioner, and such marshal, deputy marshal, or other ministerial officer, shall voluntarily suffer such prisoner to escape, the officer so offending shall be deemed guilty of a misdemeanor, and, upon conviction thereof in any district or circuit court of the United States, shall be fined or imprisoned, or both, according to the discretion of the court in which such conviction shall take place, having respect to the nature of the crime with which the escaped prisoner shall have been charged, in a sum not exceeding two thousand dollars, and for a term not exceeding two years. This act shall be taken and construed to apply not only to cases in which the prisoner who escaped was charged, or found guilty of an offence against the laws of the United States, but also to cases in which a prisoner may be in custody charged with offences against any foreign government with whom the United States have treaties of extradition. Voluntary escapes of prisoner by marshals, &c., how punished.

APPROVED, June 21, 1860.

CHAP. CLXV.—*An Act to establish a Mail six Times a Week from Sacramento, in California, to Olympia, in the Territory of Washington.* June 21, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and he is hereby, authorized and directed, to so modify the contract with the contractors now performing services on routes twelve thousand five hundred and forty-three and twelve thousand five hundred and fifty-five so as to provide for the conveyance of the entire United States mail, in four-horse stages, daily, at a schedule of seven days, from April first to December first, and twelve days the remainder of the year, from Sacramento, via Yreka, Jacksonville, Roseburg, Oakland, and Salem, to Portland, Oregon, for a compensation of ninety thousand dollars per year, the contract to expire September fifteen, eighteen hundred and sixty-four; and that the Postmaster-General be, and is hereby, authorized and directed, to establish a service six times a week, at a schedule of thirty-six hours throughout the year, from Portland, Oregon, via Vancouver, Saint Helen's, and Monticello, to Olympia, in Washington Territory, by a contract, at a rate of compensation not to exceed the rate per mile allowed from Sacra- Mail service between California and Washington Territory.

mento to Portland, with steamer service from Portland to Cowlitz, and from Cowlitz to Olympia by four-horse stages; and the Postmaster General is directed to discontinue the ocean service from San Francisco to Olympia, via Portland and Astoria, Oregon, so soon as the service contemplated by this act is established.

APPROVED, June 21, 1860.

June 21, 1860.

CHAP. CLXVI. — *An Act confirming certain Land Entries under the third [promise to the first] Section of the Act of third March, eighteen hundred and fifty-five, entitled, "An Act making Appropriations for the Service of the Post-Office Department, during the fiscal Year ending the thirtieth of June, eighteen hundred and fifty-six."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all entries which have heretofore been allowed by registers and receivers, and in regard to which no adverse claims have arisen under decisions of the Secretary of the Interior, or of the Commissioner of the General Land Office, setting aside such entries, under that portion of the third proviso to the first section of an act, approved third March, eighteen hundred and fifty-five, entitled "An act making appropriations for the service of the Post-Office Department during the fiscal year ending the thirtieth of June, one thousand eight hundred and fifty-six," in the following words: "That each contractor engaged, or to be engaged, in carrying the mails through any of the Territories west of the Mississippi, shall have the privilege of occupying stations at the rate of not more than one for every twenty miles of the route on which he carries a mail, and shall have a pre-emption right therein when the same shall be brought into market, to the extent of six hundred and forty acres, to be taken contiguously, and to include his improvements; but no such pre-emption right shall extend to any pass in a mountain or other defile," be, and the same are hereby, confirmed, subject to any *bonâ fide* claim under any law of the United States to the whole or any portion of the lands embraced in said entries or locations made prior or subsequent to the date of the selection thereof by the persons aforesaid; and the Commissioner of the General Land Office is hereby directed to issue a patent for the lands embraced in said entries, upon payment of one dollar and twenty-five cents per acre for the land embraced in such patent: *Provided,* That each contractor shall satisfy the Secretary of the Interior that he has complied with the terms of his contract, and that said entries have been used and occupied as stations on the line of the route during the existence of his contract; and that the provisions of this act shall be restricted to one and the first *bonâ fide* set of pre-emptions on one and the same line of route.

Patents to issue.

Proviso.

No new rights to be acquired under the act of 1855, ch. 201.

Repeal.

Mail stations on the routes from Mississippi to the Pacific, to be reserved.

SEC. 2. *And be it further enacted,* That no rights, from and after the passage of this act, shall accrue under the provisions of the aforesaid act of third March, eighteen hundred and fifty-five, which provisions are hereby repealed, saving all rights heretofore acquired, or those provided for in the foregoing; and that for the purpose of facilitating the transportation of the public mails of the United States west of the Mississippi River to the Pacific Ocean, and intermediate points, the Secretary of the Interior be, and he is hereby, authorized, upon the application of the Postmaster-General, to reserve, as mail stations, for the use and occupancy of mail contractors, during the existence of their contracts, a quantity of public lands, not exceeding the area of one section at any and all such localities as in his judgment are deemed necessary or advisable, to be taken where the public surveys have been made, according to the lines of those surveys; but where stations have been or may hereafter be designated in advance of the public surveys, such stations shall be laid off, under the direction of the Postmaster-General, in a square form, with power to order the adjustment hereafter of such boundaries, to conform to the lines of the public surveys, if such adjustment be deemed advisable,

which lands thus reserved as stations shall be held as permanent mail service reservations, not subject to the operation of any existing pre-emption or other general land laws.

SEC. 3. *And be it further enacted*, That whenever, from any cause, any of the reservations made under the second section of this act, shall be no longer needed for the purposes originally intended, or the convenience of the service shall require a change of location, the reservation thus abandoned by the Postmaster-General shall be laid off into suitable lots or parcels, and sold at public sale to the highest bidder after at least three months' public notice, under the direction of the Secretary of the Interior, and patents therefor shall issue as in the case of the sale of other public lands, and all laws, or parts of laws, heretofore passed, granting the pre-emption privilege to mail contractors be, and the same are hereby, repealed, but this repeal is not to affect any rights which may have actually vested under those laws before the passage of this act.

Reservations to be sold, &c. when stations are abandoned.

Laws granting pre-emption rights to mail contractors repealed.

APPROVED, June 21, 1860.

CHAP. CLXVII.—*An Act to confirm certain Private Land Claims in the Territory of New Mexico.*

June 21, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the private land claims in the Territory of New Mexico, as recommended for confirmation by the surveyor-general of that Territory, and in his letter to the Commissioner of the General Land Office, of the twelfth of January, eighteen hundred and fifty eight, designated as numbers one, three, four, six, eight, nine, ten, twelve, fourteen, fifteen, sixteen, seventeen, and eighteen, and the claim of E. W. Eaton, not entered on the corrected list of numbers, but standing on the original docket and abstract returns of the surveyor-general as number sixteen, be, and they are hereby, confirmed: *Provided*, That the claim number nine, in the name of John Scolley and others, shall not be confirmed for more than five square leagues; and that the claim number seventeen, in the name of Cornelio Vigil and Ceran St. Vrain, shall not be confirmed for more than eleven square leagues to each of said claimants.

Certain private land claims in New Mexico confirmed.

E. W. Eaton.

John Scolley.

Cornelio Vigil.
Ceran St. Vrain.

SEC. 2. *And be it further enacted*, That in surveying the claim of said John Scolley it shall be lawful for him to locate the five square leagues confirmed to him in a square body in any part of the tract of twenty-five square leagues claimed by him; and that in surveying the claims of said Cornelio Vigil and Ceran St. Vrain, the location shall be made as follows, namely: the survey shall first be made of all tracts occupied by actual settlers holding possession under titles or promises to settle, which have heretofore been given by said Vigil and St. Vrain, in the tracts claimed by them, and after deducting the area of all such tracts from the area embraced in twenty-two square leagues, the remainder shall be located in two equal tracts, each of square form, in any part of the tract claimed by the said Vigil and St. Vrain selected by them; and it shall be the duty of the surveyor-general of New Mexico immediately to proceed to make the surveys and locations authorized and required by the terms of this section.

Survey and location of claims of Scolley, Vigil, and St. Vrain.

SEC. 3. *And be it further enacted*, That the private land claims in the Territory of New Mexico, as recommended for confirmation by said surveyor-general in his reports and abstract marked exhibit A, as communicated to Congress by the Secretary of the Interior in his letter dated the third of February eighteen hundred and sixty, and numbered from twenty to thirty-eight, both inclusive, be, and the same are hereby, confirmed, with the exception of the claim numbered twenty-six, in the name of Juan B. Vigil, which claim, numbered twenty-six, is not confirmed.

Certain other private land claims in New Mexico, confirmed;

except that of Juan B. Vigil.

SEC. 4. *And be it further enacted*, That the foregoing confirmation shall

Effect of confirmation.

only be construed as quit-claims or relinquishments, on the part of the United States, and shall not affect the adverse rights of any other person or persons whomsoever.

Juan B. Vigil may institute suit, &c.

SEC. 5. *And be it further enacted*, That it shall or may be lawful for the said Juan B. Vigil or any person claiming title under him, to institute suit against the United States for the lands claimed and embraced in said claim number twenty-six, not confirmed under the provisions of the third section of this act; said suit to be instituted in the supreme court of the Territory of New Mexico, to be defended by the district-attorney of the United States for said Territory, under the direction of the Attorney-General of the United States, with the right of appeal to either party from the decision of said supreme court to the Supreme Court of the United States, if such appeal be asked for within one year from the rendition of the judgment in said supreme court of the Territory of New Mexico, and not thereafter: *Provided* That if the suit authorized by this section be not instituted within two years from the passage of this act, the said claimants shall be presumed to have abandoned all right or title to the lands embraced in said claim number twenty-six, and said lands shall thenceforth be held and deemed to be public lands belonging to the United States: *And provided further*, That in the determination of the suit authorized to be instituted by the terms of this section, the courts shall be governed by the treaty of Guadalupe Hidalgo, the law of nations, the laws, usages, and customs of the government from which the claim is derived, the principles of equity, and the decisions of the Supreme Court of the United States, so far as they are applicable.

Proviso.

Proviso.

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Heirs of Luis Maria Baca.

SEC. 6. *And be it further enacted*, That it shall be lawful for the heirs of Luis Maria Baca, who make claim to the said tract of land as is claimed by the town of Las Begas, to select instead of the land claimed by them, an equal quantity of vacant land, not mineral, in the Territory of New Mexico, to be located by them in square bodies, not exceeding five in number. And it shall be the duty of the surveyor-general of New Mexico, to make survey and location of the lands so selected by said heirs of Baca when thereunto required by them: *Provided, however*, That the right hereby granted to said heirs of Baca shall continue in force during three years from the passage of this act, and no longer.

Survey and location.

Proviso.

APPROVED, June 21, 1860.

June 22, 1860.

CHAP. CLXXXIX.—*An Act to carry into Effect Provisions of the Treaties between the United States, China, Japan, Siam, Persia, and other Countries, giving certain Judicial Powers to Ministers and Consuls or other Functionaries, of the United States in those Countries, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, to carry into full effect the provisions of the treaties of the United States with the empires of China, Japan, and Siam, respectively, the minister and the consuls of the United States, duly appointed to reside in each of the said countries, shall, in addition to other powers and duties imposed upon them, respectively, by the provisions of such treaties, respectively, be invested with the judicial authority herein described, which shall appertain to the said office of minister and consul, and be a part of the duties belonging thereto, wherein the same is allowed by treaty.

United States ministers and consuls in China, &c., to have certain judicial powers.

As to crimes and misdemeanors.

SEC. 2. *And be it further enacted*, That in regard to crimes and misdemeanors, the said public functionaries are hereby fully empowered to arraign and try, in the manner herein provided, all citizens of the United States charged with offences against law, which shall be committed in such countries, respectively, and, upon conviction, to sentence such offenders in the manner herein authorized; and the said functionaries, and each of them, are hereby authorized to issue all such processes as are suitable and necessary to carry this authority into execution.

SEC. 3. *And be it further enacted*, That, in regard to civil rights, whether of property or person, the said functionaries are hereby invested with all the judicial authority necessary to execute the provisions of such treaties, respectively, and shall entertain jurisdiction in matters of contract at the port where, or nearest to which, the contract was made, or at the port at which, or nearest to which, it was to be executed; and in all other matters at the port where, or nearest to which, the cause of controversy arose, or at the port where, or nearest to which, the damage complained of was sustained, any such port above-named being always one of the ports at which the United States are represented by consuls; which jurisdiction shall embrace all controversies between citizens of the United States, or others, provided for by such treaties, respectively.

Authority as to civil rights.

SEC. 4. *And be it further enacted*, That such jurisdiction in criminal and civil matters shall, in all cases, be exercised and enforced in conformity with the laws of the United States, which are hereby, so far as is necessary to execute such treaties, respectively, extended over all citizens of the United States in the said countries, (and over all others to the extent that the terms of the said treaties, respectively, justify or require,) so far as such laws are suitable to carry the said treaties into effect; but in all cases where such laws are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies, the common law, including equity and admiralty, shall be extended in like manner over such citizens and others in the said countries; and, if defects still remain to be supplied, and neither the common law, including equity and admiralty, nor the statutes of the United States, furnish appropriate and suitable remedies, the ministers in the said countries, respectively, shall, by decrees and regulations which shall have the force of law, supply such defects and deficiencies.

Civil and criminal jurisdiction, how to be exercised and enforced.

SEC. 5. *And be it further enacted*, That in order to organize and carry into effect the system of jurisprudence demanded by such treaties, respectively, the said ministers, with the advice of the several consuls in each of the said countries, respectively, or so many of them as can be conveniently assembled, shall prescribe the forms of all processes which shall be issued by any of said consuls; the mode of executing and the time of returning the same; the manner in which trials shall be conducted, and how the records thereof shall be kept; the form of oaths for Christian witnesses, and the mode of examining all other witnesses; the costs which shall be allowed to the prevailing party, and the fees which shall be paid for judicial services to defray necessary expenses; the manner in which all officers and agents to execute process, and to carry this act into effect, shall be appointed and compensated; the form of bail-bonds, and the security which shall be required of the party who appeals from the decision of a consul; and generally, without further enumeration, to make all such decrees and regulations from time to time, under the provisions of this act, as the exigency may demand; and all such regulations, decrees, and orders shall be plainly drawn up in writing, and submitted, as above provided, for the advice of the consuls, or as many of them as can be consulted without prejudicial delay or inconvenience, who shall each signify his assent or dissent in writing, with his name subscribed thereto; and after taking such advice, and considering the same, the minister, in the said countries, respectively, may, nevertheless, by causing the decree, order, or regulation to be published with his signature thereto, and the opinions of his advisers inscribed thereon, make it to become binding and obligatory, until annulled or modified by Congress; and it shall take effect from the publication or any subsequent day thereto named in the act.

Ministers to prescribe forms of process to be used by consuls.

Form of trial, oaths, costs, &c.

Bail-bonds and appeals.

Regulations, &c., to be in writing.

SEC. 6. *And be it further enacted*, That all such regulations, orders, and decrees, shall, as speedily as may be after publication, be transmitted by the said ministers, with the opinions of their advisers, as drawn up by

Regulations to be sent to Secretary of State.

them severally, to the Secretary of State, to be laid before Congress for revision.

Consul may issue warrant for arrest, &c., of any citizen of the United States.

SEC. 7. *And be it further enacted,* That each of the consuls aforesaid, at the port for which he is appointed, shall be competent, under the authority herein contained, upon facts within his own knowledge, or which he has good reason to believe true, or upon complaint made, or information filed in writing and authenticated in such way as shall be prescribed by the minister, to issue his warrant for the arrest of any citizen of the United States charged with committing in the country an offence against law; and when arrested, to arraign and try any such offender; and upon conviction, to sentence him to punishment in the manner herein prescribed; always meting out punishment in a manner proportioned to the offence; which punishment shall, in all cases, except as is herein otherwise provided, be either fine or imprisonment.

Punishment.

Jurisdiction of consuls; without appeal.

SEC. 8. *And be it further enacted,* That any consul, when sitting alone for the trial of offences, or misdemeanors, shall finally decide all cases where the fine imposed does not exceed one hundred dollars, or the term of imprisonment does not exceed sixty days. And there shall be no appeal therefrom except as provided in section eleven of this act. But no fine imposed by a consul for a contempt committed in the presence of the court, or for failing to obey a summons from the same, shall exceed fifty dollars, nor shall the imprisonment exceed twenty-four hours for the same contempt.

Punishment for contempt.

Jurisdiction of consuls with appeal therefrom.

SEC. 9. *And be it further enacted,* That when sitting alone he may also decide all cases in which the fine imposed does not exceed five hundred dollars, or the term of imprisonment does not exceed ninety days; but in all such cases, if the fine exceeds one hundred dollars, or the term of imprisonment for misdemeanor exceeds ninety days, the defendants (or any of them, if there be more than one) may take the case, by appeal, before the minister of the United States, if allowed jurisdiction, either upon errors of law or matters of fact, under such rules as may be prescribed by the minister for the prosecution of appeals in such cases.

Consul may call to his assistance, in certain cases, not over four persons, &c.

SEC. 10. *And be it further enacted,* That whenever, in any case, the consul shall be of opinion that, by reason of the legal questions which may arise therein, assistance will be useful to him, or whenever he shall be of opinion that a severer punishment than those above specified will be required, he shall, in either case, summon one or more citizens of the United States, not exceeding four in number, taken by lot from a list of individuals which shall have been submitted previously to the minister for his approval, but in capital cases not less than four, who shall be persons of good repute and competent to the duty, to sit with him in the trial, and who, after so sitting upon the trial, shall each enter upon the record his judgment and opinion, and sign the same. The consul shall, however, give judgment in the case; but if his decision is opposed by the opinion of one or more of his associates, the case, without further proceedings, together with the evidence and opinions, shall be referred to the minister for his final adjudication, either by entering up judgment therein, or remitting the same to the consul with instructions how to proceed therewith; but in all such cases, except capital offences, if the consul and his associates concur in opinion, the decision shall be final, except as is provided in section nine of this act.

Proceedings in such case.

Jurisdiction in civil cases arising under treaties.

SEC. 11. *And be it further enacted,* That the consuls aforesaid, and each of them, at the port for which he is appointed, shall have jurisdiction, as is herein provided, in all civil cases arising under such treaties, respectively, wherein the damage demanded does not exceed the sum of five hundred dollars; and if he sees fit to decide the same without aid, his decision thereon shall be final; but if, in his judgment, any case involves legal perplexities, and assistance will be useful, or if the damage demanded exceeds five hundred dollars, in either such case it shall be his

duty to summon to his aid, from a list of individuals which shall have been nominated for the purposes of this act to the minister and received his approval, not less than two nor more than three citizens of the United States, if such are residing at the port, of good repute and competent to the duty, who shall with him hear any such case; and if the consul and his associates concur in opinion, the judgment shall be final; but if the associates, or any of them, differ from the consul, the opinions of all shall be noted on the record, and each shall subscribe his name to his assent to or dissent from the consul, with such reasons therefor as he thinks proper to assign, and either party may thereupon appeal, under such regulations as may exist, to the minister; but if no appeal is lawfully claimed, the decision of the consul shall be final and conclusive.

SEC. 12. *And be it further enacted*, That in all cases, criminal and civil, the evidence shall be taken down in writing in open court, under such regulations as may be made for that purpose; and all objections to the competency or character of testimony shall be noted, with the ruling in all such cases, and the evidence shall be part of the case.

Evidence to be taken in writing in all cases, and objections noted.

SEC. 13. *And be it further enacted*, That the minister of the United States in the country to which he is appointed shall, in addition to his power to make regulations and decrees, as herein provided, be fully authorized to hear and decide all cases, criminal and civil, which may come before him, by appeal, under the provisions of this act, and to issue all processes necessary to execute the power conferred upon him; and he is hereby fully empowered to decide finally any case upon the evidence which comes up with it, or to hear the parties further, if he thinks justice will be promoted thereby; and he may also prescribe the rules upon which new trials may be granted, either by the consuls or by himself, if asked for upon justifiable grounds.

Jurisdiction of minister in civil and criminal cases.

SEC. 14. *And be it further enacted*, That in all cases, except as is herein otherwise provided, the punishment of crime provided for by this act shall be by fine or imprisonment, or both, at the discretion of the functionary who decides the case, but subject to the regulations herein contained, and such as may hereafter be made. It shall, however, be the duty of each and every functionary to allot punishment according to the magnitude and aggravation of the offense; and all who refuse or neglect to comply with the sentence passed upon them shall stand committed until they do comply, or are discharged by order of the consul, with the consent of the minister in the country.

Punishment of offences to be fine or imprisonment, or both, and proportioned to offence.

SEC. 15. *And be it further enacted*, That murder and insurrection, or rebellion against the government of either of the said countries, with intent to subvert the same, shall be capital offences, punishable with death; but no person shall be convicted of either of said crimes, unless the consul and his associates in the trial all concur in opinion, and the minister also approves of the conviction; but it shall always be lawful to convict one put upon trial for either of these crimes, of a lesser offence of a similar character, if the evidence justifies it; and when so convicted, to punish, as for other offenses, by fine or imprisonment, or both.

Offences punishable with death.

SEC. 16. *And be it further enacted*, That whenever any one shall be convicted of either of the crimes punishable with death, as aforesaid, in either of the said countries, it shall be the duty of the minister to issue his warrant for the execution of such convict, appointing the time, place, and manner; but if the said minister shall be satisfied that the ends of public justice demand it, he may from time to time, postpone such execution; and if he finds mitigatory circumstances which may authorize it, may submit the case to the President of the United States for pardon.

Sentences of death how executed.

Relieve or pardon.

SEC. 17. *And be it further enacted*, That it shall be the duty of the minister in each of the said countries to establish a tariff of fees for judicial services, which shall be paid by such parties, and to such persons,

Minister to establish tariff of fees, how to be paid.

as said minister shall direct; and the proceeds shall, as far as is necessary, be applied to defray the expenses incident to the execution of this act; and regular accounts, both of receipts and expenditures, shall be kept by the said minister and consuls and transmitted annually to the Secretary of State.

Certain criminal cases may be settled. SEC. 18. *And be it further enacted,* That, in all criminal cases which are not of a heinous character, it shall be lawful for the parties aggrieved or concerned therein, with the assent of the minister in the country, or consul, to adjust and settle the same among themselves, upon pecuniary or other considerations.

Settlement of civil controversies favored. SEC. 19. *And be it further enacted,* That it shall be the duty also of the said ministers and the consuls to encourage the settlement of controversies of a civil character, by mutual agreement, or to submit them to the decision of referees agreed upon by the parties, a majority of whom shall have power to decide the matter. And it shall be the duty of the minister in each country to prepare a form of submission for such cases, to be signed by the parties, and acknowledged before the consul: and when parties have so agreed to refer, the referees may, after suitable notice of the time and place of meeting for the trial, proceed *ex parte*, in case either party refuses or neglects to appear; and, after hearing any case, may deliver their award, sealed, to the consul, who, in court, shall open the same; and if he accepts it, he shall indorse the fact, and judgment shall be rendered thereon, and execution issue in compliance with the terms thereof: *Provided, however,* That the parties may always settle the same before return thereof is made to the consul.

Arbitration.

Proviso.

Ministers and consuls may call on local authorities. SEC. 20. *And be it further enacted,* That the ministers aforesaid and consuls shall be fully authorized to call upon the local authorities to sustain and support them in the execution of the powers confided to them by said treaty, and on their part to do and perform whatever is necessary to carry the provisions of said treaties into full effect, so far as they are to be executed in the said countries, respectively.

Provisions of this act as to crimes and offences to extend to Turkey. SEC. 21. *And be it further enacted,* That the provisions of this act, so far as the same relate to crimes and offences committed by citizens of the United States, shall extend to Turkey, under the treaty with the Sublime Porte of May seventh, eighteen hundred and thirty, and shall be executed in the Ottoman dominions in conformity with the provisions of said treaty, and of this act, by the minister of the United States and the consuls of the United States [appointed] to reside therein, who are hereby *ex officio* vested with the powers herein conferred upon the minister and consuls in China, for the purposes above expressed, so far as regards the punishment of crime, and also for the exercise of jurisdiction in civil cases wherein the same is permitted by the laws of Turkey, or its usages in its intercourse with the Franks or other foreign Christian nations.

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Meaning of words "minister" and "consul," in this act. SEC. 22. *And be it further enacted,* That the word minister, when used in this act, shall be understood to mean the person invested with, and exercising, the principal diplomatic functions in each of the countries mentioned in the first section of this act. The word consul shall be understood to mean any person invested by the United States with, and exercising the functions of consul-general, vice-consul-general, consul, or vice-consul in any of the countries herein named. And if at any time there be no minister of the United States in either of the countries herebefore mentioned, the judicial duties which are imposed by this act upon the minister, shall devolve upon the consul-general or consul residing at the capital of the country, who is hereby authorized and required to discharge the same.

These officers responsible to the United States. SEC. 23. *And be it further enacted,* That all such officers shall be responsible for their conduct to the United States, and to the laws thereof, not only as diplomatic or consular functionaries, respectively, but as judicial officers, when they perform judicial duties, and shall be held liable for all negligences and misconduct as public officers.

SEC. 24. *And be it further enacted,* That capital cases for murder or insurrection against the government of either of the countries hereinbefore mentioned, by citizens of the United States, or for offences against the public peace amounting to felony under the laws of the United States, may be tried before the minister of the United States in the country where the offence is committed if allowed jurisdiction; and it shall be competent for each of the said ministers to issue all manner of writs, to prevent the citizens of the United States from enlisting in the military or naval service of either of the said countries, to make war upon any foreign power with whom the United States are at peace, or in the service of one portion of the people against any other portion of the same people; and he may carry out this power by a resort to such force as may at the time be within his reach, belonging to the United States.

Murder and insurrection, how tried.

Enlistments may be prevented.

SEC. 25. *And be it further enacted,* That the President be, and he is hereby, authorized to appoint marshals for such of the consular courts in the said countries as he may think proper, not to exceed seven in number, namely, one in Japan, four in China, one in Siam, and one in Turkey, who shall each receive an annual salary of one thousand dollars per annum, in addition to the fees allowed by the regulations of the said ministers, respectively, in the said countries; and it shall be the duty of the said marshals, respectively, to execute all process issued by the minister of the United States in the said countries, respectively, or by the consul at the port at which they reside, and to make due return of the same to the officer by whom the same was issued, and to conform, in all respects, to the regulations prescribed by the said ministers, respectively, in regard to their duties. And the said marshals shall give bond for the faithful performance of the duties of the office, before entering upon the duties of the same, which bond shall be in a penal sum not to exceed ten thousand dollars, with two sureties to be approved by the Secretary of State of the United States; and the said bond shall be transmitted to the Secretary of the Treasury, and a certified copy thereof be lodged in the office of the minister. And in case any person aggrieved by the misconduct of any of the said marshals should desire to bring suit upon any of the said bonds, it shall be the duty of the Secretary of the Treasury, or the minister having custody of a copy of the same, to furnish the person so applying with a certified copy thereof, upon which copy so furnished and certified suit may be brought and prosecuted with the same effect as could be done upon the original: *Provided,* That upon a plea of *non est factum* verified upon oath, or any other good cause shown, the court or the consul or minister trying the cause may require the original to be produced; and when so required, it shall be the duty of the Secretary of the Treasury to forward the original bond to the court or consul or minister requiring the same: *And provided further,* That before a copy of any such bond shall be furnished for suit, it shall be the duty of the Secretary of the Treasury, or the minister to whom the application is made, to require *prima facie* proof, to be judged of by the Secretary of the Treasury or the minister having charge of the copy, that there is probable cause of action against the marshal making the bond: *And provided further,* That all rules, orders, writs, and processes of every kind which are intended to operate or be enforced against any of the said marshals, in any of the countries named in this act, shall be directed to and executed by such person as may be appointed for that purpose by the minister or consul issuing the same.

Marshals may be appointed for consular courts.

Pay.

Duties.

Bond.

Proviso.

Proviso.

Proviso.

SEC. 26. *And be it further enacted,* That the President be, and is hereby, authorized to allow, in the adjustment of the accounts of each of the said ministers or consuls, the actual expenses of the rent of suitable buildings, or parts of buildings to be used as prisons for American convicts in the said countries, not to exceed in any case the rate of six hundred dollars a year; and also the wages of the keepers of the same, and for the

Expenses of buildings for prisons, &c., to be allowed in accounts, &c.

care of offenders, not to exceed, in any case, the sum of eight hundred dollars per annum, and provided that no more than one prison shall be hired in Japan, four in China, one in Turkey, and one in Siam, at such port or ports as the minister, with the sanction of the President, may designate.

Appellate jurisdiction.

SEC. 27. *And be it further enacted*, That the jurisdiction of the respective ministers in the countries hereinbefore named, where the same is allowed by treaty, in all matters of civil redress or of crimes, except in the cases mentioned in the twenty-fourth section, shall be appellate only, and to be exercised wherever in the said countries they may be, respectively, except also in cases where a consular officer shall happen to be interested either as party or witness, in which case original jurisdiction is invested in the said ministers, respectively.

Provisions of the act extended to Persia;

SEC. 28. *And be it further enacted*, That the provisions of this act be, and the same are hereby, extended to Persia in respect to all suits and disputes which may arise between citizens of the United States therein; and the minister and consuls who may be appointed to reside in Persia are hereby invested, in relation to the said suits and disputes, with such powers as are by this act conferred upon the minister and consuls in China. And all suits and disputes arising in Persia between Persian subjects and citizens of the United States, shall be carried before the Persian tribunal, to which such matters are usually referred, at the place where a consul or agent of the United States may reside, and shall be discussed and decided according to equity, in the presence of an employé of the consul or agent of the United States; and it shall be the duty of the consular officer to attend the trial in person, and see that justice is administered. And all suits and disputes occurring in Persia between the citizens of the United States and the subjects of other foreign powers, shall be tried and adjudicated by the intermediation of their respective ministers or consuls, in accordance with such regulations as shall be mutually agreed upon by the minister of the United States for the time being, and the ministers of such foreign powers, respectively, which regulations shall, from time to time, be submitted to the Secretary of State of the United States.

to Tripoli, Tunis, Morocco, and Muscat.

SEC. 29. *And be it further enacted*, That the provisions of this act, so far as the same are in conformity with the stipulations in the existing treaties between the United States and Tripoli, Tunis, Morocco, and Muscat, respectively, shall extend to those countries, and shall be executed in conformity with the provisions of the said treaties, and of the provisions of this act, by the consuls appointed by the United States to reside therein, who are hereby, *ex officio*, invested with the powers herein delegated to the ministers and consuls of the United States appointed to reside in the countries named in the first section of this act, so far as the same can be exercised under the provisions of treaties between the United States and the several countries mentioned in this section, and in accordance with the usages of the said countries in their intercourse with the Franks or other foreign Christian nations.

Authority of consuls, &c., in uncivilized countries.

SEC. 30. *And be it further enacted*, That the consuls and commercial agents of the United States at islands or in countries not inhabited by any civilized people, or recognized by any treaty with the United States, be, and the same are hereby, authorized to try, hear, and determine all cases in regard to civil rights, whether of person or property, where the real debt and damages do not exceed the sum of one thousand dollars, exclusive of costs, and upon full hearing of the allegations and evidence of both parties to give judgment according to the laws of the United States, and according to the equity and right of the matter, in the same manner as justices of the peace are now authorized and empowered where the United States have exclusive jurisdiction. And the said consuls and commercial agents, respectively, are hereby invested with the powers con-

ferred by the provisions of the seventh and eighth sections of this act for trial of offences or misdemeanors.

SEC. 31. *And be it further enacted*, That all marriages in the presence of any consular officer in a foreign country, between persons who would be authorized to marry if residing in the District of Columbia, shall have the same force and effect, and shall be valid to all intents and purposes, as if the said marriage had been solemnized within the United States. And in all cases of marriage before any consular officer, the said consular officer shall give to each of the parties a certificate of such marriage, and shall also send a certificate thereof to the Department of State, there to be kept; which certificate shall specify the names of the parties, their ages, places of birth, and residence.

Marriages abroad in presence of consular officer.

Certificate thereof.

SEC. 32. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act shall be, and the same are hereby, repealed.

Repealing clause.

SEC. 33. *And be it further enacted*, That this act shall take effect on the first day of July, eighteen hundred and sixty.

When act to take effect.

APPROVED, June 22, 1860.

CHAP. CLXXX.—*An Act authorizing a Loan and providing for the Redemption of Treasury Notes.* June 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and hereby is, authorized, at any time within twelve months from the passage of this act, to borrow, on the credit of the United States, a sum not exceeding twenty-one millions of dollars, or so much thereof as, in his opinion, the exigencies of the public service may require, to be used in the redemption of Treasury notes now outstanding and to replace in the Treasury any amount of said notes which shall have been paid and received for public dues, and for no other purposes.

\$21,000,000 may be borrowed to redeem Treasury notes, &c.

SEC. 2. *And be it further enacted*, That stock shall be issued for the amount so borrowed, bearing interest, not exceeding six per centum per annum, and to be reimbursed within a period not beyond twenty years and not less than ten years; and the Secretary of the Treasury be, and is hereby authorized, with the consent of the President, to cause certificates of stock to be prepared, which shall be signed by the Register, and sealed with the seal of the Treasury Department, for the amount so borrowed, in favor of the parties lending the same, or their assigns, which certificates may be transferred on the books of the Treasury, under such regulations as may be established by the Secretary of the Treasury; *Provided*, That no certificate shall be issued for a less sum than one thousand dollars; *And provided also*, That, whenever required, the Secretary of the Treasury may cause coupons of semiannual interest payable thereon to be attached to certificates issued under this act; and any certificate with such coupons of interest attached may be assigned and transferred by delivery of the same, instead of being transferred on the books of the treasury.

Stock to be issued at interest of not over six per cent. Certificates.

To be in sums of not less than \$1,000. With coupons when required. Assignment thereof.

SEC. 3. *And be it further enacted*, That before awarding said loan, the Secretary of the Treasury shall cause to be inserted in two of the public newspapers of the city of Washington, and in one or more public newspapers in other cities of the United States, public notice that sealed proposals for such loan will be received until a certain day, to be specified in such notice, not less than thirty days from its first insertion in a Washington newspaper; and such notice shall state the amount of the loan, at what periods the money shall be paid, if by instalments, and at what places. Such sealed proposals shall be opened, on the day appointed in the notice, in the presence of such persons as may choose to attend, and the proposals decided by the Secretary of the Treasury, who shall accept the most favorable offered by responsible bidders for said stock. And the

Proposals to be advertised for.

When to be opened and what bids accepted.

Report to Congress. said Secretary shall report to Congress, at the commencement of the next session, the amount of money borrowed under this act, and of whom and on what terms it shall have been obtained, with an abstract or brief statement of all the proposals submitted for the same, distinguishing between those accepted and those rejected, with a detailed statement of the expense of making such loans: *And provided*, That no stock shall be disposed of at less than its par value; and the sum of five thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, to pay for engraving and printing the certificates, and other expenses of executing this act; but no additional compensation shall be allowed to any person receiving a salary by law.

Stock not to be disposed of at less than par. Appropriation for expenses under this act.

Faith of the United States pledged.

SEC. 4. *And be it further enacted*, That the faith of the United States is hereby pledged for the due payment of the interest and the redemption of the principal of said stock.

APPROVED, June 22, 1860.

June 22, 1860. CHAP. CLXXXI.—*An Act making Appropriations for the Naval Service for the Year ending the thirtieth of June, eighteen hundred and sixty-one.*

Appropriation. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the year ending the thirtieth of June, eighteen hundred and sixty-one:

Pay. For pay of commission, warrant, and petty officers and seamen, including the engineer corps of the navy, four million five hundred and seventy-four thousand seven hundred and twenty-five dollars and ninety-seven cents.

Provisions. For provisions for commission, warrant, and petty officers and seamen, including engineers and marines attached to vessels for sea-service, nine hundred and forty-one thousand seven hundred dollars.

Sick, &c. For surgeons' necessaries and appliances for the sick and hurt of the navy, including the engineer and marine corps, thirty-five thousand six hundred dollars.

Repair, equipment, &c. For the repair and equipment of vessels of the navy, one million five hundred and twenty-three thousand dollars: *Provided*, That not more than three thousand dollars shall be expended at any navy-yard in repairing the hull and spars of any vessel, until the necessity and expediency of such repair, and the probable cost thereof, be ascertained and reported to the Navy Department by an examining board, to be composed of one captain, or commander in the navy, to be appointed by the Secretary of the Navy, the naval constructor of the yard where any vessel may be ordered for repairs, and two master workmen of such yard, or one master workman and an engineer of the navy, according to the nature of the repairs to be made; said master workmen and engineer to be designated by the head of the Bureau of Construction and Repairs; and not more than one thousand dollars shall be expended in repairs on the sails and rigging of any vessel until the expediency and necessity of such repairs, and the estimated cost thereof, have been ascertained and reported to the Navy Department by an examining board, to be composed of one naval officer, to be appointed by the Secretary of the Navy, and the master rigger, and master sailmaker of the yard where such vessel may be ordered. *Provided*, That the Secretary of the Navy cause a careful examination to be made by naval officers, engineers, and constructors, into the condition of the sailing vessels of the navy, and the cost of giving them, or any of them, full steam power, together with the expediency of making such change in view of the cost, condition, model, and general character of such vessels so altered; and that the report of such officers, together with the Secretary's views thereon, be communicated to Congress at its next session.

costing over \$1,000.

Examination to be made of sailing vessels and cost of giving them full steam-power.

For fuel for the navy, to be purchased in the mode prescribed by law for other materials, and for the transportation thereof, eight hundred and forty thousand dollars.

Fuel.

For the purchase of hemp and other materials for the navy, three hundred thousand dollars.

Hemp.

For ordnance and ordnance stores and small arms, including incidental expenses, three hundred and thirty-eight thousand dollars.

Ordnance, &c.

For contingent expenses that may accrue for the following purposes, viz.:

Contingencies.

Freight and transportation, printing and stationery, advertising in newspapers, books, maps, models, and drawings, purchase and repair of fire-engines and machinery, repairs of and attending to steam-engines in navy-yards, purchase and maintenance of horses and oxen, and driving teams, carts, timber wheels, and the purchase and repairs of workmen's tools; postage of public letters, fuel, oil, and candles for navy-yards and shore stations; pay of watchmen and incidental labor not chargeable to any other appropriation; transportation to and labor attending the delivery of provisions and stores on foreign stations; wharfage, dockage, and rent; travelling expenses of officers and others under orders; funeral expenses, store and office rent, fuel, commissions and pay of clerks to navy agents and storekeepers, flags, awnings, and packing-boxes, premiums and other expenses of recruiting, apprehending deserters, *per diem* pay to persons attending courts martial, courts of inquiry, and other services authorized by law, pay to judges advocate, pilotage and towage of vessels, and assistance to vessels in distress, and for bills of health and quarantine expenses of vessels of the United States navy in foreign ports, five hundred and ninety-six thousand dollars: *Provided*, That the expenditures under the foregoing appropriations shall be so accounted for as to show the disbursements by each bureau, under each respective appropriation: *And provided further*, That the estimates for expenditures for such purposes shall hereafter be given in detail.

Each bureau to show its disbursements.
Detailed estimates.

For the purchase of saltpetre for the use of the navy, ten thousand dollars.

Saltpetre.

Marine Corps.—For pay of officers, non-commissioned officers, musicians, privates, clerks, messengers, stewards, and servants; for rations and clothing for servants, additional rations for five years' service, for undrawn clothing and rations, bounties for re-enlistments, four hundred and twenty-five thousand two hundred and seventy-eight dollars and eighty cents.

Marine corps.

For provisions, seventy-one thousand seven hundred and fifty-nine dollars.

For clothing, one hundred and thirteen thousand eight hundred and fifty-six dollars.

For fuel, twenty-two thousand three hundred and forty-two dollars and twenty-five cents.

For military stores, viz.: pay of armorers, repair of arms, purchase of accouterments, ordnance stores, flags, drums, fifes, and other instruments, twelve thousand dollars.

For transportation of officers and troops, and expenses of recruiting, fourteen thousand dollars.

For repairs of barracks, and rent of offices where there are no public buildings for that purpose, eight thousand dollars.

For contingencies, viz.: freight, ferriage, toll, cartage, wharfage, compensation to judges advocate, *per diem* for attending courts-martial, courts of inquiry, and for constant labor, house rent in lieu of quarters, burial of deceased marines, printing, stationery, postage, telegraphing, apprehension of deserters, oil, candles, gas, forage, straw, furniture, bed sacks, spades, shovels, axes, picks, carpenters' tools, keep of a horse for the messenger, pay of matron, washerwoman, and porter at the hospital headquarters, thirty-two thousand five hundred dollars.

Navy Yards.

Navy yards.
Preservation of
works and cur-
rent repairs.

For the preservation of works, and for the current repairs at the several navy yards, viz.:

At Portsmouth, New Hampshire, ten thousand dollars.

At Boston, fifteen thousand dollars.

At New York, twenty thousand dollars.

At Philadelphia, fifteen thousand dollars.

At Washington, ten thousand dollars; and for repairing and painting the quarters occupied by the officers of the yard, seven thousand nine hundred and twenty-six dollars.

At Norfolk, twenty thousand dollars; to complete shiphouse, number forty-eight, nineteen thousand dollars; and for repairs of shiphouses A and B, at Norfolk, thirty thousand dollars.

At Pensacola, ten thousand dollars.

At Mare Island, twenty thousand dollars.

At Sackett's Harbor, one thousand dollars.

Hospitals.

Hospitals.

For the construction and completion of works, and for the current repairs of the several naval hospitals:

Boston.

Boston.—For repairs of hospital, two thousand five hundred dollars.

New York.

New York.—For repairs of hospital buildings and laboratory, seven thousand dollars.

Naval Asylum,
Philadelphia.

Naval Asylum, Philadelphia.—For improving cemetery, sky-lights to main building, furniture, and repairs of same, house cleaning and white-washing, repairs to furnaces, grates, and ranges, gas and water rent, and for repairs of all kinds, five thousand one hundred and fifty dollars.

Beneficiaries.

For support of beneficiaries at the asylum, twenty-seven thousand dollars.

Norfolk.

Norfolk.—For porter's lodge, replacing wooden galleries, and for repairs of hospital, eighteen thousand two hundred and seventy dollars.

Pensacola.

Pensacola.—For draining and filling ponds, and for repairs of hospital buildings and dependencies, ten thousand five hundred dollars.

Magazines.

Magazines.

For the construction and completion of works, and for the current repairs at the several naval magazines:

Boston.

Boston.—For repairs of all kinds, two thousand dollars.

Philadelphia.

Philadelphia.—For repairs of all kinds, six hundred dollars.

Washington.

Washington.—For the renewal of experimental battery with one part inclosed or casemated, to guard against accidents from guns of doubtful character, four thousand dollars.

Norfolk.

Norfolk.—For shot-beds and gun-skids, fitting up additional storehouse at magazine, converting coal-house at St. Helena into gun carriage shed, fitting racks for arms and stores, and for repairs of magazine buildings, ten thousand seven hundred dollars.

Pensacola.

Pensacola.—For repairs of old magazine, one thousand one hundred and thirty-two dollars.

Civil establish-
ments at navy
yards and sta-
tions.

For pay of superintendents, naval constructors, and all the civil establishments at the several navy yards and stations, one hundred and forty-eight thousand six hundred and four dollars.

Instruments,
books, maps, &c.

For the purchase of nautical instruments required for the use of the navy, for repairs of the same, and also of astronomical instruments; and for the purchase of nautical books, maps, and charts, and for backing and binding the same, twenty-five thousand dollars.

Contingent ex-
penses.

For models, drawings, and copying; for postage, freight, and transportation; for keeping grounds in order; for fuel and lights, and for all other contingent expenses; and for the wages of persons employed at the United States Naval Observatory and hydrographical office, viz.: one instrument

Observatory.

maker, two watchmen, and one porter, seven thousand five hundred dollars.

For the erection of hose-house, one thousand five hundred dollars.

For the erection and repairs of buildings, improvement and preservation of the grounds, and for contingencies at the United States Naval Academy, fifty-seven thousand and ninety-six dollars. Naval Academy.

For preparing for publication the American Nautical Almanac, twenty-five thousand eight hundred and eighty dollars. Nautical Almanac.

For the preparation of the report of the results of the survey of the route between California and China, and of portions of the coast of Japan, five thousand dollars. Route between California and China, &c.

For engraving charts of the survey of Behring Straits, the North Pacific Ocean, and China seas, under the direction of the Secretary of the Navy, nine thousand and ten dollars. Behring Straits, &c.

For the removal of the naval monument from the west front of the Capitol to the grounds of the Naval Academy at Annapolis, fifteen hundred dollars. Naval Monument.

SEC. 2. *And be it further enacted*, That the sum of thirty-nine thousand four hundred dollars be, and the same is hereby, appropriated for pay of commission, warrant, and petty officers and seamen, including the engineer corps of the navy, for the year ending the thirtieth of June, eighteen hundred and sixty. Pay for year ending June 30, 1860.

SEC. 3. *And be it further enacted*, That pursers in the navy of the United States shall hereafter be styled paymasters, and that all laws and regulations applying to them as pursers, and all responsibilities and obligations attaching to them as such, shall remain in full force, and continue to apply to them, under the title of paymasters, and that the payments heretofore made to the pursers' clerks at the navy-yards at Charlestown, New York, and Norfolk, under appropriations made by Congress, at the rate of seven hundred and fifty dollars per annum, are hereby confirmed; and that the pay of the pursers' clerks at those navy-yards shall be continued at the rate of seven hundred and fifty dollars per annum. Pursers to be called Paymasters.

Pay of clerks at certain yards.

SEC. 4. *And be it further enacted*, That the sum of five thousand dollars be, and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated; to be expended under the joint resolution passed the twenty-sixth February eighteen hundred and fifty-seven, "to prevent the counterfeiting of the coins of the United States." Appropriation for prevention of counterfeiting.

SEC. 5. *And be it further enacted*, That the sum of ten thousand dollars be, and the same is hereby, appropriated, to enable the President to send some competent person or persons to the Isthmus of Chiriqui, whose duty it shall be to examine into and report upon the quality and probable quantity of coal to be found there, upon the lands of the Chiriqui Improvement Company; upon the character of the harbors of Chiriqui Lagoon and Golfito; upon the practicability of building a railroad across said Isthmus, so as to connect said harbors; and generally upon the value of the privileges contracted for in a conditional contract made on the twenty-first day of May, eighteen hundred and fifty-nine, between Isaac Toucey, the Secretary of the Navy of the United States, and Ambrose W. Thompson, and the Chiriqui Improvement Company: *Provided*, That nothing herein contained shall be construed as a ratification of the said contract. Vol. xi. p. 254.

Examination of Isthmus of Chiriqui, &c., and Report.

Proviso.

APPROVED, June 22, 1860.

CHAP. CLXXXII.—*An Act to grant to the City of Port Huron, Michigan, a Part of the military Reservation of Fort Gratiot, for the Enlargement of the City Cemetery at that Place.* June 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to convey to the city of Port Huron, Michigan, of the military reservation of Fort Gratiot, a lot not to exceed thirty acres, to be taken from the land adjoining the city cemetery and to be used for its enlargement and for no other purpose, so far and Part of military reservation granted to Port Huron for a cemetery.

under such conditions and reservations as in the opinion of the Secretary of War the public interest present or prospective may require.

APPROVED, June 22, 1860.

June 22, 1860. CHAP. CLXXXIII.—*An Act to declare the Meaning of the Act entitled "An Act making further Provisions for the Satisfaction of Virginia Land Warrants," passed August thirty-one, eighteen hundred and fifty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, in executing the provisions of the act passed August thirty-one, eighteen hundred and fifty-two, entitled "An act making further provision for the satisfaction of Virginia land warrants," be required so to construe the same as to authorize the satisfaction in scrip of all warrants or parts of warrants issued on allowances made by the executive of Virginia prior to the first day of March, eighteen hundred and fifty-two, coming within the principles already recognized by the Department of the Interior in the execution of the provisions of the said act, and whether issued before or since the first day of March, eighteen hundred and fifty-two: *Provided, however,* That no warrant or part of a warrant shall be satisfied in scrip, founded or issued on any allowance made by the executive of Virginia since the first day of March, eighteen hundred and fifty-two.

APPROVED, June 22, 1860.

June 22, 1860. CHAP. CLXXXIV.—*An Act to amend an Act entitled "An Act for giving Effect to certain Treaty Stipulations between this and Foreign Governments for the Apprehension and Delivery up of certain Offenders."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where any depositions, warrants, or other papers, or copies thereof, shall be offered in evidence upon the hearing of an extradition case under the second section of the act entitled "An act for giving effect to certain treaty stipulations between this and foreign governments for the apprehension and delivery up of certain offenders," approved August twelfth, eighteen hundred and forty-eight, such depositions, warrants, and other papers, or copies thereof, shall be admitted and received for the purposes mentioned in the said section, if they shall be properly and legally authenticated, so as to entitle them to be received for similar purposes by the tribunals of the foreign country from which the accused party shall have escaped, and the certificate of the principal diplomatic or consular officer of the United States resident in such foreign country shall be proof that any paper or other document so offered is authenticated in the manner required by this act.

APPROVED, June 22, 1860.

June 22, 1860. CHAP. CLXXXV.—*An Act for the Relief of Congressional Township Number Six south, of Range Number Eight west, in Randolph County, State of Illinois.*

Preamble.

Whereas section number sixteen, in township number six south, of range number eight west, in Randolph county, Illinois, is covered by a private claim number two thousand and fifty, by reason whereof the said section has been lost to the said congressional township for school purposes: Therefore—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the school trustees for the said township be, and they are hereby, authorized to select three quarter sections of land in equal subdivisions, of any of the public lands of the United States subject to entry or sale at the minimum price of one dollar and twenty-five cents per acre.

Construction of act of 1852, ch. 114. Vol. x. p. 143.

Proviso.

Papers or copies offered in evidence in extradition cases, how to be authenticated.

School trustees may select three quarter sections, &c., in lieu of land lost.

SEC. 2. *And be it further enacted,* That when the same shall have been selected by the trustees aforesaid, and a description thereof returned to and approved by the Commissioner of the General Land Office, a patent or patents shall issue thereof to the inhabitants of the said congressional township, and shall be held and disposed of by them for the use of schools within the said congressional township in the same manner as other school lands are held and disposed of.

APPROVED, June 22, 1860.

CHAP. CLXXXVI.—*An Act to amend "An Act [to provide] for extending the Laws and Judicial System of the United States to the State of Oregon, and for other Purposes."* June 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the two regular terms of the district court of the United States for the district of Oregon shall hereafter be held at Portland, in said district, commencing on the second Monday in May and September in each year, and no process issued, or proceeding pending in said court, shall be avoided or impaired by this change of the time and place of holding the same, but all process, bail bonds, or recognizances, returnable to the next term of said court, shall be returnable and returned to the term of said court next held according to this act, in the same manner as if so made returnable on the face thereof, and shall have full effect accordingly.

SEC. 2. *And be it further enacted,* That the salary of the district judge of the United States for said district shall be three thousand dollars.

APPROVED, June 22, 1860.

CHAP. CLXXXVII.—*An Act to change the Time for holding the Courts in the Northern District of Florida.* June 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the regular terms of the district court of the United States for the northern district of Florida, shall hereafter be held at Appalachicola on the first Monday in March; at Tallahassee on the first Monday in May; at St. Augustine, on the first Monday in June; and at Pensacola on the first Monday in July, of each year; but nothing herein shall be construed to prevent the judge of the said court from holding additional terms at any of the places aforesaid, whenever, in his opinion, the public interest may so require.

APPROVED, June 22, 1860.

CHAP. CLXXXVIII.—*An Act for the final Adjustment of Private Land Claims in the States of Florida, Louisiana, and Missouri, and for other Purposes.* June 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person or persons, and the legal representatives of any person or persons, who claim any lands lying within the States of Florida, Louisiana, or Missouri, by virtue of grant, concession, order of survey, permission to settle, or other written evidence of title, emanating from any foreign government, bearing date prior to the cession to the United States of the territory out of which said States were formed, or during the period when any such government claimed sovereignty or had the actual possession of the district or territory in which the lands so claimed are situated, shall be, and they are hereby, authorized to make application for the confirmation of their title to the lands so claimed, in the manner following, to wit: they shall file notices in writing, together with the evidence in support of their claims, before the commissioners hereinafter designated, within whose district the lands claimed may be situated, together with a brief abstract of the title of the claimant, and copies of the plats of survey thereof, whenever such surveys have been made and are within the possession of the claimant,

and accompanied with a sworn statement by the claimant of the lands supposed to be covered by his claim, according to the legal divisions and subdivisions of the surveys made by the United States, if the land claimed is included in any surveys so made; and the said notices, evidence, and the decisions of the commissioners thereon, shall be recorded in a book kept for that purpose, a transcript of which shall, from time to time, be transmitted to the Commissioner of the General Land Office.

Who to be
commissioners.

SEC. 2. *And be it further enacted,* That the registers and receivers of the several land offices in the States of Florida and Louisiana, within their respective land districts, and the recorder of land titles for the city of Saint Louis, for the State of Missouri, and their successors in office, shall be, and they are hereby, appointed commissioners to hear and decide, under such instructions as may be prescribed by the Commissioner of the General Land Office in conformity with this act, and according to justice and equity and the principles hereinafter established, in a summary manner, all matters respecting such claims within the districts aforesaid as come within the provisions of this act; they shall have power to administer oaths, compel the attendance of and examine witnesses, demand and obtain from the proper officers all public records in which grants of land, warrants, orders of survey, or other evidence of claims to land derived from any foreign government may have been recorded, and shall make a report to the Commissioner of the General Land Office on the claims so presented to them for decision, dividing said claims into separate classes in the manner hereinafter provided, and giving their opinion whether such claims ought to be confirmed or rejected.

Their author-
ity, duty, &c.

SEC. 3. *And be it further enacted,* That the claims so presented and passed upon by the commissioners, as aforesaid, shall be by them divided in their report into three distinct classes, as follows, viz:

Claims report-
ed on, to be divi-
ded into three
classes.

Number one.

Number one shall contain all claims which, in their opinion, ought to be confirmed, where the lands claimed have been in possession and cultivation by the private claimants or those under whom they derive title for a period of at least twenty years preceding the date of filing the claim, by virtue of some grant, concession, or order of survey, permission to settle, or other written evidence of title emanating from some foreign government which held or claimed sovereignty or jurisdiction over the territory in which the lands claimed are situated, and where the title emanating from such foreign government bears date anterior to the cession of said territory to the United States.

Number two.

Number two shall contain all claims which, in their opinion, ought to be confirmed, where the lands are claimed under written evidence of title, as above provided in class *number one*, but where there has been no actual possession and cultivation of the land claimed for a period of at least twenty years prior to the filing of the claim.

Number three.

Number three shall contain all claims which, in their opinion, ought to be rejected, whether from defect of proof, suspicion of fraud based on probable ground, uncertainty of location, vagueness of description, or any other cause sufficient, in their opinion, to justify such rejection: *Provided,* That in no case shall such commissioners embrace in said classes *number one* and *number two* any claim which has been heretofore presented for confirmation before any board of commissioners, or other public officers acting under authority of Congress, and rejected as being fraudulent, or procured or maintained by fraudulent or improper means; nor shall any such claim be received or considered by the commissioners which has been already twice rejected on the merits by previous boards.

Proviso.

Commissioner
of General Land
Office to report
to Congress.

SEC. 4. *And be it further enacted,* That whenever the said Commissioner shall approve the report of the commissioners in cases embraced in classes *number one* or *number two*, he shall report the same to Congress for its action; and whenever the said Commissioner shall approve the report in cases embraced in class *number three*, the rejection of the claim

so acted on shall be final and conclusive, and the land embraced within the claim shall be considered and treated as other public lands belonging to the United States.

SEC. 5. *And be it further enacted,* That all claims comprehended within any of the three classes aforesaid, on which there shall be disapproval by the Commissioner of the report made by the boards of commissioners aforesaid, shall be reported to Congress for its action and final decision thereon. Claims dis-
proved by him to
be reported to
Congress.

SEC. 6. *And be it further enacted,* That whenever it shall appear that lands claimed, and the title to which may be confirmed under the provisions of this act, have been sold in whole or in part by the United States prior to such confirmation, or where the surveyor-general of the district shall ascertain that the same cannot be surveyed and located, the party in whose favor the title is confirmed shall have the right to enter upon any of the public lands of the United States a quantity of land equal in extent to that sold by the government: *Provided,* That said entry be made only on lands subject to private entry at one dollar and twenty-five cents per acre, and as far as may be possible in legal divisions and subdivisions, according to the surveys made by the United States. Proceedings
when lands, title
to which is con-
firmed, have
been sold by the
United States
&c.

SEC. 7. *And be it further enacted,* That whenever any claim is presented for confirmation under the provisions of this act, which has heretofore been presented before any board of commissioners under authority of Congress, the facts reported as proven by the former board shall be taken as true *prima facie*; and the evidence offered before such former board, and remaining of record, shall be admitted on the examination of the claims made under the provisions of this act. Proviso.

SEC. 8. *And be it further enacted,* That no land claimed under the provisions of this act shall be offered for sale, or otherwise disposed of by the officers of the United States, until the final decision shall be made on the validity of such claim; and in no case where land is possessed or cultivated by private persons shall it be entered upon or surveyed as public land, or offered for sale, without previous notice given to those in possession, requiring them to present their claims for confirmation; and if within sixty days from the date of such notice such claim shall not have been filed, then the proper officers of the government may proceed to the survey or sale of such lands as public lands, without prejudice, however, to the legal rights of the possessor or claimant, if any he have. Evidence of-
ferred to former
boards to be ad-
mitted before
commissioner.

SEC. 9. *And be it further enacted,* That before the boards of commissioners shall be required to receive for record any notice, paper, evidence of title, or testimony, in support of any claim, the claimant shall pay to said board the sum of twenty-five cents for every hundred words required to be recorded, which shall be in full consideration for the recording and the transcript required to be forwarded to the Commissioner of the General Land Office. Lands claimed
under this act,
not to be sold
until, &c.

SEC. 10. *And be it further enacted,* That at the commencement of each regular session of Congress, it shall be the duty of the Commissioner of the General Land Office to make report of all that has been done under the provisions of this act by the several officers charged with its execution. Cultivated land
not to be sur-
veyed, &c., with-
out, &c.

SEC. 11. *And be it further enacted,* That in any case of such a claim to lands as is hereinbefore in the first section of this act mentioned, where the lands claimed have not been in possession of and cultivated by the original claimant or claimants, or those holding title under him or them, for the period of twenty years aforesaid, and where such lands are claimed by complete grant or concession, or order of survey duly executed, or by other mode of investiture of the title thereto in the original claimant or claimants, by separation thereof from the mass of the public domain, either by actual survey or definition of fixed natural and ascertainable boundaries or initial points, courses and distances, by the competent authority, Claimants to
advance certain
fees for record-
ing.

SEC. 12. *And be it further enacted,* That in any case of such a claim to lands as is hereinbefore in the first section of this act mentioned, where the lands claimed have not been in possession of and cultivated by the original claimant or claimants, or those holding title under him or them, for the period of twenty years aforesaid, and where such lands are claimed by complete grant or concession, or order of survey duly executed, or by other mode of investiture of the title thereto in the original claimant or claimants, by separation thereof from the mass of the public domain, either by actual survey or definition of fixed natural and ascertainable boundaries or initial points, courses and distances, by the competent authority, Commissioner
of General Land
Office to report
to Congress.

SEC. 13. *And be it further enacted,* That in any case of such a claim to lands as is hereinbefore in the first section of this act mentioned, where the lands claimed have not been in possession of and cultivated by the original claimant or claimants, or those holding title under him or them, for the period of twenty years aforesaid, and where such lands are claimed by complete grant or concession, or order of survey duly executed, or by other mode of investiture of the title thereto in the original claimant or claimants, by separation thereof from the mass of the public domain, either by actual survey or definition of fixed natural and ascertainable boundaries or initial points, courses and distances, by the competent authority, Proceedings
where lands have
not been held
twenty years,
but are claimed
by complete
grant, &c.

SEC. 14. *And be it further enacted,* That in any case of such a claim to lands as is hereinbefore in the first section of this act mentioned, where the lands claimed have not been in possession of and cultivated by the original claimant or claimants, or those holding title under him or them, for the period of twenty years aforesaid, and where such lands are claimed by complete grant or concession, or order of survey duly executed, or by other mode of investiture of the title thereto in the original claimant or claimants, by separation thereof from the mass of the public domain, either by actual survey or definition of fixed natural and ascertainable boundaries or initial points, courses and distances, by the competent authority, Proceedings
where lands have
not been held
twenty years,
but are claimed
by complete
grant, &c.

SEC. 15. *And be it further enacted,* That in any case of such a claim to lands as is hereinbefore in the first section of this act mentioned, where the lands claimed have not been in possession of and cultivated by the original claimant or claimants, or those holding title under him or them, for the period of twenty years aforesaid, and where such lands are claimed by complete grant or concession, or order of survey duly executed, or by other mode of investiture of the title thereto in the original claimant or claimants, by separation thereof from the mass of the public domain, either by actual survey or definition of fixed natural and ascertainable boundaries or initial points, courses and distances, by the competent authority, Proceedings
where lands have
not been held
twenty years,
but are claimed
by complete
grant, &c.

SEC. 16. *And be it further enacted,* That in any case of such a claim to lands as is hereinbefore in the first section of this act mentioned, where the lands claimed have not been in possession of and cultivated by the original claimant or claimants, or those holding title under him or them, for the period of twenty years aforesaid, and where such lands are claimed by complete grant or concession, or order of survey duly executed, or by other mode of investiture of the title thereto in the original claimant or claimants, by separation thereof from the mass of the public domain, either by actual survey or definition of fixed natural and ascertainable boundaries or initial points, courses and distances, by the competent authority, Proceedings
where lands have
not been held
twenty years,
but are claimed
by complete
grant, &c.

prior to the cession to the United States of the territory in which said lands were included, or where such title was created and perfected during the period while the foreign governments from which it emanated claimed sovereignty over or had the actual possession of such territory, the person or persons, his, her, or their heirs, devisees, legal representatives or grantees, so claiming such lands, may, at their option, instead of submitting their claim to the officer or officers hereinbefore mentioned, proceed by petition in any district court of the United States within whose jurisdiction the lands or any part of the lands claimed may lie, unless such claim comes within the purview of the third section of this act; to which petition the United States shall be made defendant, and it shall be verified by the oath of the party or parties, and conform to the provisions of section one of this act, and to the practice of such court in chancery, and the attorney of the United States for such district shall defend against the same for the United States; and the court shall decide the claim valid or invalid according to the principles established in this act, and decree accordingly. If the decree be against the United States, an appeal shall be entered to the Supreme Court of the United States; and if it be against the claimant or claimants, he or they may take an appeal directly to that court, as of right and course, without affidavit or security other than for costs; and the same shall be adjudged *de novo* in the Supreme Court as in other cases of appeals thereto in chancery, and as equity and justice and the principles aforesaid may require; which decision shall be final, and patent shall thereupon issue, if the claim be adjudged valid, for so much of the lands claimed as remain unsold; and for so much as may have been sold, the provisions of section six of this act shall apply and be in force.

Petition to federal district court.

Proceedings thereon.

Act, how long to remain in force.

SEC. 12. *And be it further enacted*, That this act shall be and remain in force during the term of five years, unless sooner repealed by Congress; and all claims presented or sued upon, according to the provisions of this act, within the said term of five years, may be prosecuted to final determination and decision, notwithstanding the said term of five years may have expired before such final determination and decision.

APPROVED, June 22, 1860.

June 22, 1860. CHAP. CLXXXIX.—*An Act in Relation to Mission Claims at Sault Ste. Marie, Michigan.*

Missionary claims to be confirmed as claims of individuals.

1860, ch. 71, § 4.
Vol. ix. p. 470.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the missionary claims referred to in the fourth section of the act of twenty-sixth September, eighteen hundred and fifty, entitled "An act providing for the examination and settlement of claims for land at the Sault Ste. Marie, Michigan," and reported upon by the register and receiver at Sault Ste. Marie, pursuant to said act, shall be entitled to recognition and confirmation in the same manner and on the same terms as claims of individuals therein provided for; and upon the final approval of the said claims, as provided in the eighth section of the act aforesaid, patents shall be issued therefor.

APPROVED, June 22, 1860.

June 22, 1860. CHAP. CXC.—*An Act in Relation to malicious Injuries to, and Trespasses upon, public and private Property, within the District of Columbia.*

Wilful, &c., injury to trees, fences, works of art, &c., how punished.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who shall wilfully and maliciously, or wantonly, and without cause, in the District of Columbia, cut down or destroy, or by girdling, lopping, or otherwise injure any fruit or other tree, not his own, standing or growing for shade, ornament, or other useful purpose, or shall maliciously destroy, mutilate, or otherwise injure any statuary, monument, or other work of art, stand-

ing or being on land not his own, or shall maliciously break down or injure any fence enclosing or belonging to another's land, or shall maliciously sever from the freehold of another any product thereof, or anything attached thereto, shall be punished by imprisonment in jail not more than three months, or by a fine not exceeding one hundred dollars.

SEC. 2. *And be it further enacted*, That every person who, in said District, without color of right, shall wilfully commit any trespass by cutting down or destroying any timber or wood standing on the land of another, or by carrying away any kind of timber or wood cut down or lying on such land, or by digging up or carrying away any stone, ore, gravel, clay, sand, turf, or mold from such land, or any roots, fruit, or plant there being, or by cutting down or carrying away any grass, hay, grain, or corn standing, or being on such land, shall be punished by imprisonment in jail not more than sixty days, or by a fine not exceeding sixty dollars.

Wilful trespass by destroying trees, &c., how punished.

SEC. 3. *And be it further enacted*, That every person who, in said District, without color of right, shall wilfully commit any trespass by entering upon the garden, orchard, or other improved land of another, with intent to cut, take, carry away, destroy, or injure the trees, grain, grass, hay, fruit, or vegetables there growing or being, shall be punished by imprisonment in jail not more than forty days, or by a fine not exceeding fifty dollars.

Wilful trespass by entering gardens, orchards, &c., how punished.

SEC. 4. *And be it further enacted*, That justices of the peace shall have exclusive original jurisdiction in all cases mentioned in the preceding sections, saving, however, to any party convicted before such justice, the right to a trial by jury on his appeal to the criminal court.

Jurisdiction of the offences to be in justices of the peace.

SEC. 5. *And be it further enacted*, That every person convicted before a justice of the peace of any offence named in this act, and appealing therefrom, shall be committed to abide the sentence of the criminal court, until he shall recognize, with sureties, in such reasonable sum as the justice shall require, with condition to appear at said court, there to prosecute his appeal and to abide sentence thereon. On such appeal being taken and bond filed, the justice shall make a copy of the conviction and other proceedings in the case and transmit the same, together with the recognizance, to the clerk of the criminal court.

Proceedings on appeal from justice of the peace.

APPROVED, June 22, 1860.

CHAP. CC.—*An Act providing for the Erection of a Post-Office in the City of Philadelphia.* June 23, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso of the third section of an act entitled "An act making appropriations for sundry civil expenses of the government for the year ending the thirtieth of June, Anno Domini eighteen hundred and sixty," passed March third, eighteen hundred and fifty-nine, be, and the same is hereby, repealed.

Proviso to act 1859, ch. 82, § 8, Vol. xi. p. 425, repealed.

SEC. 2. *And be it further enacted*, That if the premises agreed to be purchased by the United States from the American Philosophical Society as a site for a court-house, mentioned in the said third section, should fail to sell on account of any defect or qualification in the title thereto, that then the sum of seventy-eight thousand dollars, appropriated by the act of August eighteenth, eighteen hundred and fifty-six, entitled "An act making appropriations for certain civil expenses of the government for the year ending the thirtieth of June, eighteen hundred and fifty-seven," for the purchase and payment of the same, together with the unexpended balance of the sum of fifty thousand dollars, appropriated by the said act of March third, eighteen hundred and fifty-nine, for the purpose of making alterations to the building thereby authorized to be purchased of the Bank of Pennsylvania, and the sum of one hundred thousand dollars, appropriated by the act of March third, eighteen hundred and fifty-seven, for com-

Application of former appropriations. 1856, ch. 129. Vol. xi. p. 83.

1857, ch. 108. Vol. xi. p. 227.

Purchase of
Bailey and Levy
lots, and con-
struction of post-
office thereon.

Proviso.

pleting and furnishing the said building purchased of the said Bank of Pennsylvania, and to adapt it to the use of a post-office, at Philadelphia, shall be applied to carrying out the provisions of the fourth section of the said act of March third, eighteen hundred and fifty-nine, in the following manner, viz.: first, for the purchase of the lots mentioned and described in the said fourth section as the Bailey and Levy lots, at prices not exceeding the sums in the said fourth section mentioned, and then for the construction of a building on the said lots suitable for a post-office and court-house: *Provided*, That the said property purchased from the Bank of Pennsylvania be sold at a price not less than one hundred and ten thousand dollars.

APPROVED, June 23, 1860.

June 23, 1860. CHAP. CCL.—*An Act authorizing the Issue of a Register for the Brig "Charles H Jordan."*

Register to is-
sue to brig
Charles H. Jor-
dan.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to issue a register for brig "Charles H. Jordan" of Boston: *Provided*, that it shall be proved to the satisfaction of said Secretary that said brig was found derelict on the high seas, without a name, and subsequently sold by order of the United States district court for Massachusetts, and purchased by Charles W. Adams, of Boston, Massachusetts.

APPROVED, June 23, 1860.

June 23, 1860. CHAP. CCII.—*An Act to authorize the Location of certain Warrants for Bounty Lands heretofore issued.*

Certain land
warrants to be lo-
cated, and loca-
tions confirmed.

1842, ch. 69.
Vol. v. p. 497.

1848, ch. 74.
Vol. ix. p. 240.
1854, ch. 10.
Vol. x. p. 267.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That warrants for bounty lands heretofore issued under the authority of the act entitled "An act to provide for satisfying claims for bounty lands for military services in the late war with Great Britain, and for other purposes," approved the twenty-seventh day of July, in the year eighteen hundred and forty-two, and of the several acts reviving the same, approved the twenty-sixth day of June, in the year eighteen hundred and forty-eight and the eighth day of February, in the year eighteen hundred and fifty-four, may be located, in conformity with the general laws in force at any time within three years from the date of this act; and that all entries and locations made with such warrants since the twenty-sixth day of June, in the year eighteen hundred and fifty-eight, shall be as valid and effectual as if the several acts aforesaid had not then expired.

APPROVED, June 23, 1860.

June 23, 1860. CHAP. CCIII.—*An Act to authorize the Reissue of Land Warrants in certain Cases, and for other Purposes.*

If land warrant
&c. is lost, new
warrant may be
issued.

New warrants
may be located,
&c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever it shall appear that any certificate or warrant, issued in pursuance of any law of the United States granting bounty land, has been lost or destroyed, whether the same had been sold and assigned by the warrantee or not, the Secretary of the Interior shall be, and he is hereby, authorized and required to cause a new certificate or warrant of like tenor to be issued in lieu thereof; which new certificate or warrant may be assigned, located, and patented in like manner as other certificates or warrants for bounty land are now authorized by law to be assigned, located, and patented; and in all cases where warrants have been, or may be, reissued, the orig-

inal warrant, in whose ever hands it may be, shall be deemed and held to be null and void, and the assignment thereof, if any there be, fraudulent; and no patent shall ever issue for any land located therewith, unless such presumption of fraud in the assignment be removed by due proof that the same was executed by the warrantee in good faith and for a valuable consideration.

Old warrant to be void, &c. patent not to issue unless, &c.

SEC. 2. *And be it further enacted*, That the said Secretary of the Interior shall be, and he is hereby, authorized and required to prescribe such rules and regulations for carrying this act into effect as he may deem necessary and proper in order to protect the government against imposition and fraud by persons claiming the benefit of this act; *and*; and all laws and parts of laws for the punishment of false swearing and frauds against the United States are hereby made applicable to false swearing and fraud under this act.

Secretary of Interior may make rules, &c.

Punishment for false swearing under this act.

APPROVED, June 23, 1860.

CHAP. CCIV. *An Act to authorize Notaries Public in the District of Columbia to take Acknowledgments of Deeds of Conveyance of real and personal Estate therein.*

June 23, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the powers conferred upon a justice or justices of the peace in the District of Columbia by the existing laws, in the acknowledgment of deeds for the conveyance of real or personal estate, may hereafter be exercised by any notary-public duly appointed within said District of Columbia, and when certified under the hand and official seal of such notary-public, shall have the same force and effect as if taken or made by or before a justice or justices of the peace of said District.

Notaries Public in District of Columbia may take acknowledgment of deeds. 1801, ch. 15, § 11. Vol. ii. p. 107.

APPROVED, June 23, 1860.

CHAP. CCV.—*An Act making Appropriations for the Legislative, Executive, and Judicial Expenses of Government for the Year ending the thirtieth of June, eighteen hundred and sixty-one.*

June 23, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-one, namely:

Appropriation.

Legislative.—For compensation and mileage of senators, one hundred and eighty-nine thousand one hundred and thirty-eight dollars and twenty-eight cents.

Pay &c. of Senators,

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate, viz.: Secretary of the Senate, three thousand six hundred dollars; officer charged with disbursements of the Senate, four hundred and eighty dollars; chief clerk, two thousand five hundred dollars; principal clerk and principal executive clerk in the office of the Secretary of the Senate, at two thousand one hundred and sixty dollars each; eight clerks in office of the Secretary of the Senate, at one thousand eight hundred and fifty dollars each; keeper of the stationery, one thousand seven hundred and fifty-two dollars; two messengers, at one thousand and eighty dollars each; one page at five hundred dollars; Sergeant-at-arms and Doorkeeper, two thousand dollars; Assistant Doorkeeper, one thousand seven hundred dollars; Postmaster to the Senate, one thousand seven hundred and fifty dollars; Assistant Postmaster and mail-carrier, one thousand four hundred and forty dollars; two mail boys, at nine hundred dollars each; superintendent of the document room, one thousand five hundred dollars; two assistants in document room, at one thousand two hundred dollars each; superintendent of the

of officers &c. of Senate.

folding room, one thousand five hundred dollars; two messengers, acting as assistant doorkeepers, at one thousand five hundred dollars each; sixteen messengers, at one thousand two hundred dollars each; superintendent in charge of Senate furnaces, one thousand two hundred dollars; assistant in charge of furnaces, six hundred dollars; laborer in private passage, six hundred dollars; two laborers, at four hundred and eighty dollars each; clerk or secretary to the President of the Senate, one thousand seven hundred and fifty-two dollars; draughtsman, one thousand eight hundred and fifty dollars; clerk to the Committee on Finance, one thousand eight hundred and fifty dollars; clerk to the Committee on Claims, one thousand eight hundred and fifty dollars; clerk of printing records, one thousand eight hundred and fifty dollars; chaplain, seven hundred and fifty dollars—making seventy-nine thousand six hundred and sixty-four dollars.

Contingencies
of Senate.

For contingent expenses of the Senate, viz.:

For lithographing and engraving, thirty thousand dollars.

For binding, fifty thousand dollars.

For stationery, twelve thousand dollars.

For newspapers, three thousand three hundred dollars.

For Congressional Globe, and binding the same, thirty-two thousand dollars.

For reporting proceedings in the Daily Globe for the second session of the Thirty-sixth Congress, at seven dollars and fifty cents per column, eleven thousand dollars.

For the usual additional compensation to the reporters of the Senate, for the Congressional Globe, for reporting the proceedings of the Senate for the second session of the Thirty-sixth Congress, eight hundred dollars each, three thousand two hundred dollars.

For clerks to committees, pages, horses, and carryalls, fourteen thousand nine hundred and thirty-six dollars.

For Capitol police, eight thousand two hundred dollars.

For expenses of the heating, ventilating and lighting apparatus, twelve thousand dollars.

Miscellaneous.

For miscellaneous items, twenty thousand dollars.

Pay of Representatives and delegates.

For compensation and mileage of members of the House of Representatives and delegates from Territories, six hundred and fifteen thousand two hundred and fifty dollars.

Officers &c. of House.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives, viz.: Clerk of the House of Representatives, three thousand six hundred dollars; two clerks, at two thousand one hundred and sixty dollars each; eleven clerks, at one thousand eight hundred dollars each; principal messenger in the office, one thousand seven hundred and fifty-two dollars; three messengers, at one thousand two hundred dollars each; Sergeant-at-Arms, two thousand one hundred and sixty dollars; clerk to the Sergeant-at-Arms, one thousand eight hundred dollars; messenger to the Sergeant-at-Arms, one thousand two hundred dollars; Postmaster, two thousand one hundred and sixty dollars; one messenger in the office, one thousand seven hundred and forty dollars; four messengers, at one thousand four hundred and forty dollars each; doorkeeper, two thousand one hundred and sixty dollars; superintendent of the folding room, one thousand eight hundred dollars; two messengers, at one thousand seven hundred and fifty-two dollars each; one messenger, at one thousand seven hundred and forty dollars; five messengers, at one thousand five hundred dollars each; six messengers, at one thousand two hundred dollars each; eleven messengers to be employed during the session of Congress, at the rate of one thousand two hundred dollars each per annum; messenger to the Speaker, one thousand seven hundred and fifty-two dollars; clerk to the Committee on Claims, one thousand eight hundred dollars; clerk to

the Committee of Ways and Means, one thousand eight hundred dollars ; Chaplain, seven hundred and fifty dollars—making eighty-one thousand two hundred and forty-eight dollars and sixteen cents.

For contingent expenses of the House of Representatives, viz :

Contingencies
of the House.

For binding documents, fifty thousand dollars.

For furniture repairs, and boxes for members, ten thousand dollars.

For stationery, fifteen thousand dollars.

For horses, carriages, and saddle horses, six thousand dollars.

For fuel, oil, and candles, including pay of engineer, firemen, and laborers, and materials for engine room, fifteen thousand dollars.

For newspapers, twelve thousand five hundred dollars.

For Capitol police, eight thousand four hundred and twenty dollars.

For laborers, six thousand two hundred and eighty-five dollars.

For pages and temporary mail boys, four thousand five hundred dollars.

For folding documents, including pay of folders, wrapping paper, twine, and paste, thirty thousand dollars.

For cartage, two thousand dollars.

For the compensation of the draughtsman and clerks employed upon the land maps, clerks to committees, and temporary clerks in the office of the Clerk of the House of Representatives, seventeen thousand eight hundred dollars.

For two mail boys, at nine hundred dollars each, and the messenger in charge of the south extension, three thousand three hundred dollars.

For miscellaneous items, forty thousand dollars.

Miscellaneous.

For twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the second session of the Thirty-sixth Congress, seventeen thousand four hundred and twenty-four dollars : *Provided*, That the entire cost of each copy shall not exceed six dollars for the first annual session, and three dollars for the second annual session.

Congressional
Globe and Ap-
pendix.
Proviso.
Cost.

For binding twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the second session of the Thirty-sixth Congress, six thousand nine hundred and sixty-nine dollars, and sixty cents.

For reporting proceedings in the Daily Globe for the second session of the Thirty-sixth Congress, at seven dollars and fifty cents per column, eight thousand dollars : *Provided*, That in auditing and settling the account of John C. Rives for the reports of House proceedings and debates, nothing shall be allowed for revised speeches, a report of which has once been published, nor for messages and reports from the executive officers of the government, except the annual message of the President and the annual reports proper of the heads of Departments, nor for reports from committees of the Senate ; and the sixteenth section of the act entitled " An act making appropriations for certain civil expenses of the government for the year ending the thirtieth of June, eighteen hundred and fifty-seven," approved eighteenth August, eighteen hundred and fifty-six, is hereby repealed.

Reporting.

Proviso.

What shall not
be allowed John
C. Rives in ac-
count.

Repeal of
1856, ch. 129, § 16.
Vol. xi. p. 92.

For the usual additional compensation to the reporters of the House for the Congressional Globe, for reporting the proceedings of the House for the second session of the Thirty-sixth Congress, eight hundred dollars each, four thousand dollars.

Library of Congress.—For compensation of Librarian, three assistant librarians, and messenger, nine thousand dollars.

Library of
Congress.

For contingent expenses of said library, one thousand dollars.

For purchase of books for said library, five thousand dollars.

For purchase of law books for said library, two thousand dollars.

For compensation of the Superintendent of Public Printing, and the clerks and messenger in his office, nine thousand seven hundred and fourteen dollars, and that hereafter, the Superintendent of Public Printing shall not be allowed to employ more than three clerks in his office.

Public Print-
ing. Number of
clerks of Super-
intendent.

- Contingencies.** For contingent expenses of his office, viz.: For blank books, stationery, postage, advertising for proposals for paper, furniture, travelling expenses, cartage and labor in storing and transportation of paper, and miscellaneous items, two thousand eight hundred and fifty dollars.
- Paper.** For paper required for the printing of the second session of the Thirty-sixth Congress, one hundred thousand dollars.
For printing required for the second session of the Thirty-sixth Congress, seventy thousand dollars.
- Court of Claims.** *Court of Claims.*—For salaries of three judges of the Court of Claims, the solicitor, assistant solicitor, deputy solicitor, clerk and assistant clerk, and messenger thereof, twenty-seven thousand three hundred dollars.
For stationery, books, fuel, lights, labor, and miscellaneous items for the Court of Claims, four thousand dollars.
- Executive.** *Executive.*—For compensation of the President of the United States, twenty-five thousand dollars.
For compensation of the Vice-President of the United States, eight thousand dollars.
For compensation to secretary to sign patents for lands, one thousand five hundred dollars.
For compensation to the private secretary, steward, and messenger of the President of the United States, four thousand six hundred dollars.
For contingent expenses of the Executive office, including stationery therefor, three hundred and fifty dollars.
- State Department.** *Department of State.*—For compensation of the Secretary of State, and Assistant Secretary of State, clerks, messenger, assistant messenger, and laborers in his office, fifty-seven thousand eight hundred dollars.
- Contingencies.** *For the Incidental and Contingent Expenses of said Department.*—For publishing the laws in pamphlet form, and in newspapers of the States and Territories, and in the city of Washington, sixteen thousand seven hundred and twenty-five dollars.
For stationery, blank-books, binding, furniture, fixtures, repairs, painting, and glazing, ten thousand dollars.
For miscellaneous items, two thousand dollars.
For copper-plate printing, books, and maps, two thousand dollars.
For extra clerk hire and copying, two thousand dollars.
To enable the Secretary of State to purchase fifty copies, each, of volumes twenty-two and twenty-three of Howard's Reports of the Decisions of the Supreme Court of the United States, five hundred dollars.
- Howard's Reports.** *Northeast Executive Building.*—For compensation of four watchmen and two laborers of the Northeast Executive Building, three thousand six hundred dollars.
For contingent expenses of said building, viz.: for fuel, light, repairs, and miscellaneous expenses, four thousand five hundred dollars.
- Northeast Executive Building.** *Treasury Department.*—For compensation of the Secretary of the Treasury, Assistant Secretary of the Treasury, clerks, messenger, assistant messenger, and laborers in his office, forty-eight thousand six hundred dollars.
- Treasury Department.** For compensation of the First Comptroller, and the clerks, messenger, and laborers in his office, twenty-eight thousand three hundred and forty dollars.
- 1st. Comptroller's office.** For compensation of the Second Comptroller, and the clerks, messenger, and laborer in his office, twenty-six thousand eight hundred and forty dollars.
- 2d. Comptroller's office.** For compensation of the First Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, thirty-five thousand nine hundred and forty dollars.
- 1st. Auditor's office.** For compensation of the Second Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, thirty-five thousand five hundred and forty dollars.
- 2d. Auditor's office.**

For compensation of the Third Auditor, and the clerks, messenger, assistant messenger, and laborers in his office, one hundred and thirty-two thousand six hundred and forty dollars. And that the twenty-nine clerks, now transferred by the Secretary of the Treasury from the Third Auditor's Office to other bureaus of the Treasury Department, shall be permanently transferred to those offices, and taken from that of the Third Auditor; but nothing herein contained shall be so construed as to take from the several heads of Departments the power to transfer clerks temporarily from one office or bureau to another.	8d Auditor's office. Clerks. Proviso.
For compensation of the Fourth Auditor, and the clerks, messenger, and assistant messenger in his office, twenty-six thousand eight hundred and four dollars and seventy-two cents.	4th Auditor's office.
For compensation of the Fifth Auditor, and the clerks, messenger, and laborer in his office, seventeen thousand eight hundred and forty dollars.	5th Auditor's office.
For compensation of the Auditor of the Treasury for the Post-Office Department, and the clerks, messenger, assistant messenger, and laborers in his office, one hundred and seventy-two thousand three hundred and forty dollars.	Office of Auditor for P. O. Department.
For compensation of the Treasurer of the United States, and the clerks, messenger, assistant messenger, and laborers in his office, twenty-seven thousand three hundred and forty dollars.	Treasurer's office.
For compensation of the Register of the Treasury, and the clerks, messenger, assistant messenger, and laborers in his office, fifty-one thousand nine hundred and forty dollars.	Register's office.
For compensation of the Solicitor of the Treasury, and the clerks and messenger in his office, seventeen thousand one hundred and forty dollars.	Solicitor's office.
For compensation of the Commissioner of Customs, and the clerks, messenger, and laborer in his office, twenty thousand four hundred and forty dollars.	Office of Commissioner of Customs.
For compensation of the clerks, messenger, and laborer of the Light-house Board, nine thousand two hundred and forty dollars.	Office of Light-house Board.
<i>Contingent Expenses of the Treasury Department.</i>	Contingencies.
In the office of the Secretary of the Treasury :	Secretary's office.
For copying, blank-books, stationery, binding, sealing ships' registers, translating foreign languages, advertising, and extra clerk hire for preparing and collecting information to be laid before Congress—said clerks to be employed only during the session of Congress, or when indispensably necessary to enable the department to answer some call made by either house of Congress at one session to be answered at another; and no such extra clerk shall receive more than three dollars and thirty-three and one third cents per day for the time actually and necessarily employed—and for miscellaneous items, twelve thousand dollars.	Extra clerks. Pay.
In the office of the First Comptroller :	1st Comptroller's office.
For furniture, blank-books, binding stationery, public documents, State and Territorial Statutes, and miscellaneous items, one thousand eight hundred dollars.	
In the office of the Second Comptroller :	2d Comptroller's office.
For blank-books, binding, stationery, pay for the National Intelligencer and Constitution, to be filed and preserved for the use of the office, office furniture, and miscellaneous items, one thousand two hundred dollars.	
In the office of the First Auditor :	1st Auditor's office.
For blank-books, binding, stationery, office furniture, and miscellaneous items, including subscription for the Constitution and National Intelligencer, to be filed for the use of the office, one thousand five hundred dollars.	
In the office of the Second Auditor :	2d Auditor's office.
For blank-books, binding, stationery, office furniture, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office, one thousand two hundred dollars.	

4th Auditor's
office.

In the office of the Fourth Auditor:
For stationery, books, binding, labor, and miscellaneous items, one thousand dollars.

5th Auditor's
office.

In the office of the Fifth Auditor:
For blank-books, binding, stationery, office furniture, carpeting, and miscellaneous expenses, in which are included two daily newspapers, eight hundred dollars.

Treasurer's
office.

In the office of the Treasurer:
For blank-books, binding, stationery, and miscellaneous items, one thousand dollars.

Register's
office.

In the office of the Register:
For ruling and full-binding books for recording collectors' quarterly abstracts of commerce and navigation, and blank abstracts for their use, blank-books, binding, and stationery, arranging and binding cancelled marine papers, cases for official papers, and records, and miscellaneous items, including office furniture and carpeting, four thousand dollars.

Light-house
board.

Light-house Board.—For blank-books, binding, stationery, miscellaneous expenses, and postage, six hundred dollars.

S. E. Execu-
tive Building, ex-
tension thereof,
&c.

For the General Purposes of the Southeast Executive Building, including the Extension and the Building occupied by the Attorney-General and the First Auditor.—For compensation of twelve watchmen and eleven laborers of the Southeast Executive Building, thirteen thousand eight hundred dollars.

For contingent expenses of said building, fuel, light, and miscellaneous items, ten thousand dollars.

Department of
the Interior.
Secretary's
office.

Department of the Interior.—For compensation of the Secretary of the Interior, and the clerks, messengers, assistant messengers, watchmen, and laborers in his office, thirty-six thousand nine hundred dollars.

Office of Land
Commissioner.

For compensation of the Commissioner of the General Land Office, and the recorder, draughtsman, assistant draughtsman, clerks, messengers, assistant messengers, packers, watchmen, and laborers in his office, one hundred and seventy-three thousand eight hundred and ninety dollars.

1855, ch. 207.
Vol. x. p. 701.

For additional clerks in the General Land Office, under the act of third March, one thousand eight hundred and fifty-five, granting bounty land, and for laborers employed therein, fifty-eight thousand four hundred dollars: *Provided*, That the Secretary of the Interior, at his discretion, shall be, and he is hereby, authorized to use any portion of said appropriation for piece work, or by the day, week, month, or year, at such rate, or rates as he may deem just and fair.

Proviso.

Additional land
district in Wash-
ington Territory.
1860, ch. 50.
ante, p. 18.
[Repeated, post,
p. 218.]

To enable the Secretary of the Interior to carry into effect the act approved the sixteenth of May, eighteen hundred and sixty, creating an additional land district in Washington Territory, eight thousand dollars: *Provided*, That said sum shall be paid out of the proceeds of the sale of land in said district, and not otherwise.

Commissioner
of Indian affairs.

For compensation of the Commissioner of Indian Affairs, and the clerks, messenger, assistant messenger, watchmen and laborers in his office, thirty-one thousand nine hundred and forty dollars.

1854, ch. 267.
Vol. x. p. 576.
1855, ch. 204.
Vol. x. p. 686.

For compensation of five extra clerks employed in the Indian Office, under acts of August five, eighteen hundred and fifty-four and March three, eighteen hundred and fifty-five and under appropriations made from year to year, seven thousand dollars.

1855, ch. 204,
§ 7, Vol. x. p. 700.

For compensation of one clerk in the Indian Office, employed to enable the Secretary of the Interior to carry out the regulations prescribed to give effect to the seventh section of the act of third March, eighteen hundred and fifty-five, granting bounty lands to Indians, one thousand four hundred dollars.

Commissioner
of Pensions.

For compensation of the Commissioner of Pensions, and the clerks, messenger, assistant messenger, and laborers in his office, one hundred and nine thousand three hundred and forty dollars.

Contingent Expenses—Department of the Interior.—

Office of the Secretary of the Interior :

For books, stationery, furniture, fuel, lights, and other contingencies, and for books and maps for the library, six thousand five hundred dollars.

For expenses of packing and distributing congressional journals and documents, in pursuance of the provisions contained in the joint resolution of Congress approved twenty-eighth January, eighteen hundred and fifty-seven, and act February fifth, eighteen hundred and fifty-nine, three thousand dollars.

Contingent expenses.
Secretary's office.

Vol. xi. p. 258.

1859, ch. 22,
Vol. xi. p. 379.

Office of Indian Affairs :

For blank-books, binding, stationery, fuel, lights, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office, five thousand dollars.

Office of Indian Affairs.

General Land-Office :

For cash system and military patents, under laws prior to twenty-eighth September, eighteen hundred and fifty, patent and other records ; tract-books and blank-books for this and the district land-offices ; binding plats and field-notes ; stationery, furniture, and repairs of same, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office ; also, for contingent expenses, in addition, under swamp land act of twenty-eighth September, eighteen hundred and fifty, military bounty acts of twenty-eighth September, eighteen hundred and fifty, and twenty-second March, eighteen hundred and fifty-two, and act thirty-first August, eighteen hundred and fifty-two, for the satisfaction of Virginia land-warrants, forty-two thousand dollars.

General Land-Office.

1850, ch. 84.
1850, ch. 85.
1852, ch. 19.
1852, ch. 114.

For fuel, lights, and incidental expenses attending the same, including pay of furnace-keepers, two thousand dollars.

Pension Office :

For stationery, binding books, furniture, and repairing the same, miscellaneous items, including two daily city newspapers, to be filed, bound, and preserved for the use of the office, and for engraving and retouching plates for bounty land warrants, printing and binding the same, also for expenses in removing the office from Seventeenth to Seventh Streets, and for furniture in the new office, twenty-five thousand dollars.

Pension Office.

For compensation of the Commissioner of Public Buildings, and the clerk and messenger in his office, four thousand two hundred dollars.

Commissioner of Public Buildings.

For stationery, blank-books, plan, drawings, and other contingent expenses of the office of the Commissioner of Public Buildings, two hundred and fifty dollars.

Surveyors General and their Clerks.—For compensation of the surveyor general of Illinois and Missouri, and the clerks in his office, five thousand eight hundred and twenty dollars.

Surveyors General and their clerks.

For compensation of the surveyor general of Louisiana, and the clerks in his office, four thousand five hundred dollars.

Louisiana.

For compensation of the surveyor general of Florida, and the clerks in his office, five thousand five hundred dollars.

Florida.

For compensation of the surveyor general of Wisconsin and Iowa, and the clerks in his office, eight thousand three hundred dollars.

Wisconsin and Iowa.

For compensation of the surveyor general of Oregon, and the clerks in his office, seven thousand five hundred dollars.

Oregon.

For rent of surveyor general's office in Oregon, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For compensation of the surveyor general of California, and the clerks in his office, fifteen thousand five hundred dollars.

California.

For rent of surveyor general's office in California, fuel, books, stationery, and other incidental expenses, including pay of messenger, two thousand five hundred dollars.

Washington Territory.

For compensation of the surveyor general of Washington Territory, and the clerks in his office, seven thousand dollars.

For office rent for the surveyor general of Washington Territory, fuel, books, stationery, and other incidental expenses, two thousand five hundred dollars.

New Mexico.

For compensation of the surveyor general of New Mexico, and the clerks in his office, seven thousand dollars.

For rent of the surveyor general's office in New Mexico, fuel, books, stationery, and other incidental expenses, two thousand five hundred dollars.

For compensation of translator in the office of the surveyor general of New Mexico, one thousand four hundred and sixty-seven dollars and six cents.

Kansas and Nebraska.

For compensation of the surveyor general of Kansas and Nebraska, and the clerks in his office, eight thousand three hundred dollars.

For office rent of the surveyor general of Kansas and Nebraska, fuel, and incidental expenses, two thousand five hundred dollars.

Utah.

For compensation of the surveyor general of Utah and the clerks in his office, eight thousand dollars.

For rent of the surveyor general's office in Utah, fuel, stationery, and other incidental expenses, two thousand five hundred dollars.

Minnesota.

For compensation of the surveyor general of Minnesota, and the clerks in his office, eight thousand three hundred dollars.

Clerks of surveyors general.

For compensation of clerks in the offices of the surveyors general, to be apportioned to them according to the exigencies of the public service, and to be employed in transcribing field notes of surveys, for the purpose of preserving them at the seat of government, twenty-five thousand dollars.

Recorder in Missouri.

For salary of the recorder of land-titles in Missouri, five hundred dollars.

War Department. Secretary's office.

War Department.—For compensation of the Secretary of War, and the clerks, messenger, assistant messenger, and laborer in his office, twenty-two thousand dollars.

Office of Adjutant General;

For compensation of the clerks and messenger in the office of the adjutant general, thirteen thousand six hundred and forty dollars.

of Quartermaster General;

For compensation of the clerks and messenger in the office of the quartermaster general, sixteen thousand four hundred and forty dollars.

of Paymaster General;

For compensation of the clerks and messenger in the office of the paymaster general, twelve thousand four hundred and forty dollars.

of Commissary General;

For compensation of the clerks, messenger, and laborer in the office of the commissary general, ten thousand and forty dollars.

of Surgeon General;

For compensation of the clerks and messenger in the office of the surgeon general, five thousand two hundred and forty dollars.

of Topographical Engineers;

For compensation of the clerks, messenger, and laborer in the office of topographical engineers, ten thousand six hundred and forty dollars.

of Chief Engineer;

For compensation of the clerks and messenger in the office of the chief engineer, eight thousand two hundred and forty dollars.

of Colonel of Ordnance.

For compensation of the clerks and messenger in the office of the colonel of ordnance, twelve thousand two hundred and forty dollars.

Contingencies of War Department.

Contingent Expenses of the War Department.—

Office of the Secretary of War :

For blank-books, stationery, books, maps, extra clerk hire, and miscellaneous items, five thousand five hundred dollars.

Office of the Adjutant General :

For blank-books, binding, stationery, and miscellaneous items, two thousand dollars.

Office of the Quartermaster General :

For blank-books, binding, stationery, and miscellaneous items, one thousand two hundred dollars.

Office of the Paymaster General :

For blank-books, binding, stationery, and miscellaneous items, five hundred dollars. Contingencies
of War Department.

Office of the Commissary General.

For blank-books, binding, stationery, and miscellaneous items, one thousand two hundred dollars.

Office of the Chief Engineer :

For blank-books, binding, stationery, and miscellaneous items, including two daily Washington papers, nine hundred dollars.

Office of the Surgeon General :

For blank-books, binding, stationery, and miscellaneous items, four hundred dollars.

Office of Colonel of Ordnance :

For blank-books, binding, stationery, and miscellaneous items, five hundred dollars.

Office of the Colonel of Topographical Engineers :

For blank-books, binding, stationery, and miscellaneous items, one thousand two hundred dollars.

For the General Purposes of the Northwest Executive Building.— Northwest Executive Building.
For compensation of four watchmen and two laborers of the Northwest Executive Building, three thousand six hundred dollars.

For fuel, light, and miscellaneous items, four thousand dollars.

For the general purposes of the Building corner of F and Seventeenth Streets.— Building corner of F and Seventeenth Streets.
For compensation of superintendent, four watchmen, and two laborers for said building, three thousand eight hundred and fifty dollars.

For fuel, compensation of firemen, and miscellaneous items, four thousand eight hundred dollars.

Navy Department.—For compensation of the Secretary of the Navy, and the clerks, messenger, assistant messenger and laborer in his office, twenty-nine thousand six hundred dollars. Navy Department.

For compensation of the chief of the bureau of navy-yards and docks, and the clerks, messenger, and laborer in his office, fourteen thousand one hundred and forty dollars. Bureau of yards and docks;

For compensation of the chief of the bureau of ordnance and hydrography, and the clerks, messenger, and laborer in his office, twelve thousand three hundred and forty dollars. of ordnance and hydrography;

For compensation of the chief of the bureau of construction, equipment, and repairs, and of the engineer-in-chief, and the clerks, messenger, and laborers in his office, twenty-one thousand three hundred and forty dollars. of construction, &c.

For compensation of the clerks, messenger, and laborer in the bureau of provisions and clothing, eight thousand eight hundred and forty dollars. of provisions and clothing;

For compensation of the chief of the bureau of medicine and surgery, and the clerks, messenger, and laborer in his office, nine thousand five hundred and forty dollars. of medicine and surgery.

Contingent Expenses of the Navy Department.—

Office of the Secretary of the Navy :

For blank-books, binding, stationery, newspapers, periodicals, and miscellaneous items, two thousand eight hundred and forty dollars. Contingent Expenses of Navy Department.

Bureau of Yards and Docks :

For stationery, books, plans, and drawings, eight hundred dollars.

Bureau of Ordnance and Hydrography :

For blank-books, stationery, and miscellaneous items, seven hundred and fifty dollars.

Bureau of Construction, Equipment, and Repairs :

For blank-books, binding, stationery, printing, and miscellaneous items, eight hundred dollars.

Bureau of Provisions and Clothing :

For blank-books, stationery, and miscellaneous items, seven hundred dollars.

Bureau of Medicine and Surgery :

For blank-books, stationery, and miscellaneous items, four hundred and fifty dollars.

Southwest Executive Building. *For the general purposes of the Southwest Executive Building.*—For compensation of four watchmen of the southwest executive building, two thousand four hundred dollars.

For Contingent Expenses of said Building, viz. :

For labor, fuel, lights, and miscellaneous items, three thousand nine hundred and thirteen dollars.

Post-Office Department.

Post-Office Department.—For compensation of the Postmaster-General, three Assistant Postmasters-General, and the clerks, messenger, assistant messengers, watchmen, and laborers of said department, one hundred and fifty-seven thousand eight hundred dollars.

Contingencies of Post-Office Department.

Contingent Expenses of said Department :

For blank-books, binding, and stationery, fuel for the General Post-Office building, including the Auditor's Office, oil, gas, and candles, printing, day watchman, and for miscellaneous items, for repairs of the General Post-Office building, for office furniture, glazing, painting, whitewashing, and for keeping the fire-places and furnaces in order, fifteen thousand dollars.

General Post-Office Extension.

General Post-Office Extension.—For watchmen, engineer, (for steam engines,) laborers, fuel, gas, candles, repairs of furniture, and for miscellaneous items, ten thousand dollars.

Paper and printing for Executive Departments.

Printing for Executive Departments.—For paper and printing for the executive departments, including the annual estimates of appropriations, and the paper, printing, and binding of the annual statement of commerce and navigation of the United States, fifty-five thousand dollars.

Mint. Philadelphia.

Mint of the United States.—

At Philadelphia.—For salaries of the director, treasurer, assayer, melter and refiner, chief coiner and engraver, assistant assayer, assistant melter and refiner, and seven clerks, twenty-seven thousand nine hundred dollars.

For wages of workmen and adjusters, sixty-seven thousand dollars.

For incidental and contingent expenses, including wastage, in addition to other available funds, thirty thousand dollars.

For specimens of ores and coins to be reserved at the mint, three hundred dollars.

For transportation of bullion from the New York assay office to the United States mint for coinage, five thousand dollars.

San Francisco.

At San Francisco, California.—For salaries of superintendent, treasurer, assayer, melter and refiner, coiner, and five clerks, thirty thousand five hundred dollars.

For wages of workmen and adjusters, ninety-six thousand nine hundred and twenty-eight dollars.

For incidental and contingent expenses, including wastage, in addition to other available funds, twenty-nine thousand four hundred and forty dollars and twenty-one cents.

Assay Office, New York.

Assay Office, New York.—For salaries of officers and clerk, twenty-four thousand nine hundred dollars.

For wages of workmen, twenty-four thousand dollars.

New Orleans.

At New Orleans.—For salaries of superintendent, treasurer, assayer, coiner, melter and refiner, and three clerks, eighteen thousand three hundred dollars.

For wages of workmen, twenty-eight thousand five hundred and nineteen dollars and forty-five cents.

For incidental and contingent expenses, including wastage, in addition to other available funds, thirty thousand dollars.

Charlotte.

At Charlotte, North Carolina.—For salaries of superintendent, coiner, assayer, and clerk, six thousand dollars. For wages of workmen, three thousand five hundred dollars.

At Dahlonega, Georgia.—For salaries of superintendent, coiner, assayer, and clerk, six thousand dollars.

Dahlonega.

GOVERNMENT IN THE TERRITORIES.

Territory of New Mexico.—For salaries of governor, three judges, and secretary, twelve thousand dollars.

Government in the Territories.
New Mexico.

For contingent expenses of said Territory, one thousand dollars.

For interpreter and translator in the executive office, five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, ten thousand dollars.

Territory of Utah.—For salaries of governor, three judges, and secretary, twelve thousand dollars.

Utah.

For contingent expenses of said Territory, one thousand five hundred dollars.

Territory of Washington.—For salaries of governor, three judges, and secretary, twelve thousand five hundred dollars.

Washington.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Nebraska.—For salaries of the governor, three judges, and secretary, ten thousand five hundred dollars.

Nebraska.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Kansas.—For salaries of governor, three judges, and secretary, ten thousand five hundred dollars.

Kansas.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Judiciary.—For salaries of the chief justice of the supreme court, and eight associate justices, fifty-four thousand five hundred dollars.

Judiciary, supreme court, &c.

For salaries of the district judges, one hundred and thirteen thousand two hundred and fifty dollars.

For salary of the circuit judge of California, six thousand dollars.

For salaries of the chief justice of the District of Columbia, the associate judges, and the judges of the criminal court and the orphans' court, fifteen thousand seven hundred and fifty dollars.

Office of the Attorney General.—For salaries of the Attorney General, Assistant Attorney General, and the clerks and messenger in his office, seventeen thousand five hundred dollars.

Office of the Attorney General.

For contingent expenses of the office of the Attorney General, two thousand dollars.

For purchase of law and necessary books for the office of the Attorney General, five hundred dollars.

For the purchase of deficient State reports and statutes for the office of the Attorney General, five hundred dollars.

For fuel and labor for the office of the Attorney General, five hundred dollars.

For furniture and bookcases for office of Attorney General, three hundred dollars.

For legal assistance and other necessary expenditures in the disposal of private land claims in California, ten thousand dollars.

Expenses of California land claims.

For special and other extraordinary expenses of California land claims, twenty thousand dollars.

Reporter. For salary of the reporter of the decisions of the Supreme Court, one thousand three hundred dollars.

For one hundred and fifty copies of volume twenty-third of Howard's Reports of decisions of the Supreme Court of the United States to be furnished by the reporter thereof to the State Department for distribution according to existing laws, seven hundred and fifty dollars.

District Attorneys. For compensation of the district attorneys, eleven thousand eight hundred and fifty dollars.

Marshals. For compensation of the marshals, ten thousand four hundred dollars.

Court expenses, &c., and prosecution of crime. For defraying the expenses of the supreme, circuit, and district courts of the United States, including the District of Columbia; also for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures incurred in the fiscal year ending June thirtieth, eighteen hundred and sixty-one, and previous years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, one million of dollars.

Counterfeiting coin. For the detection and bringing to trial of persons engaged in counterfeiting the coin of the United States, to be expended under the direction of the Secretary of the Treasury, ten thousand dollars.

Post, p. 538.

Independent Treasury.

Independent Treasury.—For salaries of the assistant treasurers of the United States at New York, Boston, Charleston, and Saint Louis, sixteen thousand five hundred dollars.

For additional salaries of the treasurer of the mint at Philadelphia of one thousand dollars, and of the treasurer of the branch mint at New Orleans of five hundred dollars, one thousand five hundred dollars.

1846, ch. 90.
1848, ch. 166.
1851, ch. 82.
1856, ch. 176.

For salaries of five of the additional clerks authorized by the acts of sixth August, eighteen hundred and forty-six, and paid under acts of twelfth August, eighteen hundred and forty-eight, third March, eighteen hundred and fifty-one, and third March, eighteen hundred and fifty-five, five thousand seven hundred dollars.

For salary of additional clerk in office of assistant treasurer at Boston, one thousand two hundred dollars.

For salaries of clerks, messengers, and watchmen in the office of the assistant treasurer at New York, thirteen thousand nine hundred dollars.

Steamboat Inspectors.

1852, ch. 108.
Vol. x. p. 61.

For salaries of nine supervising and fifty local inspectors, appointed under act thirtieth August, eighteen hundred and fifty-two, for the better protection of the lives of passengers by steamboats, with travelling and other expenses incurred by them, eighty thousand dollars.

Laborers, &c.

For compensation to the laborer in charge of the water-closets in the Capitol, four hundred and thirty-eight dollars.

For compensation to the public gardener, one thousand four hundred and forty dollars.

For compensation of twenty-two laborers employed in the public grounds and President's garden, thirteen thousand two hundred dollars.

For compensation of the keeper of the western gate, Capitol Square, eight hundred and seventy-six dollars.

For compensation of two day watchmen employed in the Capitol Square, one thousand two hundred dollars.

For compensation of two night watchmen employed at the President's house, one thousand two hundred dollars.

For compensation of the doorkeeper at the President's house, six hundred dollars.

For compensation of the assistant doorkeeper at the President's house, six hundred dollars.

For compensation of one night watchman employed for the better pro-

tection of the buildings lying south of the Capitol, and used as public stables and carpenters' shops, six hundred dollars.

For compensation of watchmen employed on reservation number two, six hundred dollars.

For compensation of four draw-keepers at the Potomac bridge, and for fuel, oil, and lamps, three thousand two hundred and sixty-six dollars. Bridges.

For compensation of two draw-keepers at the two bridges across the eastern branch of the Potomac, and for fuel, oil, and lamps, one thousand one hundred and eighty dollars.

For compensation of the Auxiliary Guard, and one lieutenant, and for fuel, oil, and lamps, and for twenty policemen, to be appointed in the same manner as the Auxiliary Guard, thirty-two thousand four hundred dollars; and that there be paid to the corporation of the city of Washington out of money heretofore appropriated the compensation of one lieutenant of police. Auxiliary Guard.

For furnace-keeper at the President's house, six hundred dollars. Furnace-keeper.

Expenses of the Collection of Revenue from Lands.—To meet the expenses of collecting the revenue from the sale of public lands in the several States and Territories: Collection of revenue from lands.

For salaries and commissions of registers of land offices and receivers of public moneys, two hundred and sixty-two thousand seven hundred dollars.

For expenses of depositing public moneys by receivers of public moneys, thirty thousand dollars.

For incidental expenses of the several land offices, thirty thousand dollars.

Penitentiary.—For compensation of the warden, clerk, physician, chaplain, assistant keepers, guards, and matron of the penitentiary of the District of Columbia, thirteen thousand six hundred and forty dollars. Penitentiary.

For compensation of three inspectors of said penitentiary, seven hundred and fifty dollars.

For the support and maintenance of said penitentiary, six thousand two hundred and ninety-six dollars and twenty-five cents.

For payment of messengers of the respective States for conveying to the seat of government the votes of the electors of the said States for President and Vice-President of the United States, twenty thousand dollars. Conveying electoral votes.

SEC. 2. *And be it further enacted,* That the twenty-third section of the act entitled "An act legalizing and making appropriations for such necessary objects as have usually been included in the general appropriation bills without authority of law, and to fix and provide for certain incidental expenses of the departments and offices of the government, and for other purposes," approved twenty-sixth August, eighteen hundred and forty-two, is hereby repealed: And the Secretary of the Interior is hereby authorized to pay, out of any moneys in the treasury not otherwise appropriated, such amount as may by him be regarded as reasonable and just for the rent of the rooms occupied by the United States courts at Los Angeles, California, from the twenty-seventh October, eighteen hundred and fifty-four, to the fifth August, eighteen hundred and fifty-six: *Provided,* That the whole amount paid shall not exceed the sum of three thousand dollars. Act 1842, ch. 202, § 23, repealed. Vol. v. p. 533.

SEC. 3. *And be it further enacted,* That all purchases and contracts for supplies or services in any of the departments of the government, except for personal services, when the public exigencies do not require the immediate delivery of the article or articles, or performance of the service, shall be made by advertising, a sufficient time previously, for proposals respecting the same. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract at the places and in the manner in which such Rent of court rooms at Los Angeles, California, to be paid.

Proviso.
Purchases and contracts, except for personal services, &c., to be made after advertising for proposals. [Repealed in part, 1861, ch. 43, § 5, post, p. 150; wholly, 1861, ch. 84, § 10, post, p. 220.]

Contracts, &c.,
not to be made
except author-
ized by law.
Except, &c.

Patent arms,
&c., not to be
bought, &c.

War debt of
California.

1854, ch. 267.
§ 9.
Vol. x. p. 582.

Proviso.

Extra salaries,
&c., of district
judges in Cali-
fornia.

1860, ch. 128.
Ante, p. 33.

articles are usually bought and sold, or such services engaged between individuals. No contract or purchase shall hereafter be made unless the same be authorized by law, or be under an appropriation adequate to its fulfilment, except in the War and Navy Departments, for clothing, subsistence, forage, fuel, quarters or transportation, which, however, shall not exceed the necessities of the current year. No arms, nor military supplies whatever, which are of a patented invention, shall be purchased, nor the right of using or applying any patented invention, unless the same shall be authorized by law, and the appropriation therefor explicitly set forth that it is for such patented invention.

SEC. 4. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized to pay out of the unexpended balance of appropriation for the war debt of the State of California, made by the last section of the act approved August fifth, eighteen hundred and fifty-four, entitled "An act making appropriation for the support of the army for the year ending the thirtieth of June, eighteen hundred and fifty-five," any outstanding and unpaid bonds and coupons issued by said State, for said war debt prior to the passage of said act, but bearing date subsequent to the first day of January, eighteen hundred and fifty-four: *Provided*, That no payment shall be made beyond the unexpended amount of said appropriation now remaining in the treasury; and also, that there be paid out of any money in the treasury not otherwise appropriated, the sum of twenty-two thousand dollars, or so much thereof as may be required, for extra compensation and salaries to the district judges of California, under the provisions of the seventh section of the act entitled "An act to define and regulate the jurisdiction of the district courts of the United States in California, in regard to the survey and location of California private land claims," approved June, [sixteenth] eighteen hundred and sixty.

APPROVED, June 23, 1860.

June 25, 1860. CHAP. CCXI.—*An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-one.*

Appropriation. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby, appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-one, viz.:

Coast survey. *Survey of the Coast*.—For continuing the survey of the Atlantic and Gulf coast of the United States, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) two hundred and fifty thousand dollars.

For continuing the survey of the western coast of the United States, including compensation of civilians engaged in the work, one hundred and thirty thousand dollars.

For continuing the survey of the Florida reefs and keys, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) forty thousand dollars.

For running a line to connect the triangulation on the Atlantic coast with that on the Gulf of Mexico, across the Florida peninsula, including compensation of civilians engaged in the work, five thousand dollars.

For publishing the observations made in the progress of the survey of the coast of the United States, including compensation of civilians engaged in the work, five thousand dollars.

For repairs of steamers and sailing schooners used in the coast survey, ten thousand dollars.

For fuel and quarters, and for mileage or transportation for officers and enlisted soldiers of the army serving in the coast survey, in cases no longer provided for by the quartermaster's department, five thousand dollars.

For pay and rations of engineers for seven steamers, used in the hydrography of the coast survey, no longer supplied by the Navy Department, twelve thousand eight hundred dollars.

To supply deficiency in the fund for the relief of sick and disabled seamen, one hundred and seventy-five thousand dollars. Deficiency for seamen.

For the discharge of such miscellaneous claims, not otherwise provided for, as shall be admitted in due course of settlement at the treasury, five thousand dollars. Miscellaneous claims.

For preserving the unfinished work upon the Charleston custom-house, five thousand dollars, and to pay for the marble already delivered at the Charleston custom-house, to be used in continuing the work on that building, fifteen thousand dollars; and the Secretary of the Treasury is directed to report to Congress in his next annual report on the finances the amount of further appropriations that may be required to finish, respectively, this custom-house and the one at New Orleans, and the time necessary to complete the same, and whether any changes can be made, consistently with the purposes for which the building is intended, which will reduce the cost of completion, and in the mean time no further materials shall be delivered for said custom-house. Custom-houses at Charleston and New Orleans.

For preserving the unfinished work upon the New Orleans custom-house, five thousand dollars, and to pay for marble already delivered at the New Orleans custom-house, to be used in continuing the work on that building, twenty-five thousand dollars; and in the mean time no further materials shall be delivered for said custom-house. Secretary of Treasury to report to Congress amounts required to finish these works, &c.

For preserving the unfinished work upon the New Orleans custom-house, five thousand dollars, and to pay for marble already delivered at the New Orleans custom-house, to be used in continuing the work on that building, twenty-five thousand dollars; and in the mean time no further materials shall be delivered for said custom-house. No further materials to be delivered.

To enable the Secretary of the Treasury to fit up ready for the occupancy of the postmaster and his force, the necessary rooms in the custom-house building at New Orleans, that is one half of the first floor of the old levee front (designed for the Post-Office Department) according to the original design, twenty thousand dollars. Post-Office at New Orleans.

For the extension of the Treasury building, three hundred and fifty thousand dollars. Extension of Treasury building.

For furnishing rooms in the Treasury building for the office of the Attorney General, two thousand five hundred dollars. Attorney General's office.

To pay for labor on, and materials furnished for, the Capitol extension, one hundred and fifty-three thousand six hundred and one dollars and seventy-four cents; and to enable the superintendent to take care of the marble which has been delivered, and of the shops occupied, and to lay the marble flooring of the porticos and to pay for the bronze doors, forty-eight thousand nine hundred and twenty dollars; and for contingencies of the Capitol extension, twenty-three hundred dollars, making two hundred and four thousand eight hundred and twenty-one dollars and seventy-four cents. Capitol Extension.

For the prosecution of the work on the Capitol extension during the fiscal year ending the thirtieth June, eighteen hundred and sixty-one, the sum of three hundred thousand dollars: *Provided*, That none of the money hereby appropriated shall be expended in the decoration and embellishment of the Capitol extension by sculpture or painting, or other works of illustrated art. No part to be expended for works of illustrated art.

To enable the superintendent of the Capitol extension to purchase from Rice and Heebner thirty-four monolithic columns of American marble at the price specified in their supplemental contract of March thirty, eighteen hundred and fifty-four, the marble for said columns to be approved by the said superintendent, the sum of forty-seven thousand six Marble columns for Capitol Extension.

Proviso.

hundred dollars: *Provided*, That no part of the aforesaid sum of three hundred thousand dollars appropriated for the prosecution of the work shall be applied to the purchase of marble columns.

Contingent expenses of Senate.

For Contingent Expenses of the Senate, viz.:

For fixtures for gas, and furniture, for the committee, office, and other rooms and apartments, in the north wing of the Capitol, as directed by the resolution of the Senate of thirtieth March, eighteen hundred and sixty, nineteen thousand four hundred dollars, to be expended under the direction of the Committee to audit and control the contingent expenses of the Senate.

Washington Aqueduct.

Post, p. 619.

Engineer of Potomac water works abolished.

For the completion of the Washington aqueduct, five hundred thousand dollars, to be expended according to the plans and estimates of Captain Meigs, and under his superintendence: *Provided*, That the office of engineer of the Potomac water works is hereby abolished, and its duties shall hereafter be discharged by the chief engineer of the Washington Aqueduct.

Custom-house and post-office at Wheeling, Va.

For furniture required for the new custom-house, post-office, and United States court-rooms at Wheeling, Virginia, one thousand four hundred and eleven dollars.

Custom-house at Baltimore.

For the repair of the custom-house in the city of Baltimore, fifteen thousand dollars.

Light-house establishment.

Atlantic, Gulf, and Lake coasts.

Light-house Establishment.—For Atlantic, Gulf, and Lake Coasts, viz.:

For supplying the light-houses and beacon-lights with oil, glass chimneys, wicks, chamois skins, polishing powder, whiting and other cleaning materials, transportation and other necessary expenses of the same, repairing and keeping in repair the lighting apparatus, one hundred and thirty-six thousand two hundred and twenty-six dollars.

For repairs and incidental expenses, refitting and improving all the light-houses, and buildings connected therewith, one hundred and fifteen thousand five hundred and twenty-six dollars and fourteen cents.

For salaries of five hundred and sixty-eight keepers of light-houses and light-beacons, and their assistants, one hundred and eighty-eight thousand nine hundred and twelve dollars and ninety-seven cents.

For salaries of forty-nine keepers of light-vessels, twenty-seven thousand three hundred and fifty dollars.

For seaman's wages, repairs, supplies, and incidental expenses of forty-eight light-vessels, one hundred and seventy-two thousand seven hundred and five dollars.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of buoys and day-beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys, one hundred and seven thousand dollars.

For expenses of visiting and inspecting lights and other aids to navigation, one thousand four hundred and fourteen dollars and eighty-one cents.

For commissions, at two and a half per centum, to such superintendents as are entitled to the same under the proviso to act third March, eighteen hundred and fifty-one, on the amount that may be disbursed by them, in addition to available balance, six thousand six hundred and thirty-eight dollars and sixty-one cents.

*For the Coasts of California, Oregon, and Washington.—*For supplying fifteen light-houses and beacon-lights with oil, glass chimneys, wicks, chamois skins, polishing powder, and other cleaning materials, transportation, expenses of keeping lamps and machinery in order, publishing notices to mariners of changes of aids to navigation, eleven thousand six hundred and sixty-six dollars and sixty-four cents.

For salaries of thirty-five keepers and assistant keepers of light-houses, at an average not exceeding eight hundred dollars per annum, four thousand dollars.

1851, ch. 82.
Vol. ix. p. 608.

California,
Oregon, and
Washington.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of buoys and day-beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys, three thousand dollars.

For maintenance of the vessel provided for by the act of eighteenth August, eighteen hundred and fifty-six, for inspection and transportation purposes, thirty thousand dollars. 1856, ch. 160. Vol. xi. p. 100.

For continuing the construction of the light-house at Minot's Ledge, one of the Cohasset rocks, Boston Bay, Massachusetts, being the amount remaining to be appropriated to complete the work according to the original estimate, forty-seven thousand and ninety dollars and thirty-six cents. Minot's Ledge light-house.

For completion and protection of way to light-house at Huron, Ohio, six thousand dollars; and for the protection of the piers and beacon-light on the pier at Cleveland, Ohio, eight thousand dollars; and for the protection of the piers and beacon-light on the piers at Fairport, Ohio, five thousand dollars. Light-houses, &c., in Ohio.

For commutation of fuel and quarters for officers of the army serving on light-house duty, the payment of which is no longer provided for by the Quartermaster's Department, three thousand two hundred and two dollars and twenty-nine cents. Army officers on light-house duty.

For compensation of two superintendents for the life-saving stations on the coasts of Long Island and New Jersey, three thousand dollars. Life stations and boats.

For compensation of fifty-four keepers of stations, at two hundred dollars each, ten thousand eight hundred dollars.

For support, care, and medical treatment of forty transient paupers, medical and surgical patients in Washington Infirmary, six thousand dollars. Transient paupers in Washington Infirmary.

For purchase of manure for the public grounds, one thousand dollars. Public grounds.

For hire of carts on the public grounds, one thousand and ninety-five dollars.

For purchase and repair of tools used in the public grounds, two hundred and fifty dollars.

For purchase of trees and tree-boxes, to replace where necessary such as have been planted by the United States, and the repair of pavements in front of the public grounds, two thousand five hundred dollars.

For annual repairs of the Capitol, water-closets, public stables, water-pipes, pavements, and other walks within the Capitol Square, broken glass and locks, five thousand dollars. Repairs of Capitol, &c.

For annual repairs of the President's house and furniture, improvement of grounds, purchase of plants for garden, and contingent expenses incident thereto, six thousand dollars. President's house.

For fuel, in part, of the President's house, one thousand eight hundred dollars.

For lighting the Capitol and President's house, the public grounds around them and around the Executive offices, and Pennsylvania Avenue, Bridge and High Streets in Georgetown, Four-and-a-half, Seventh, and Twelfth Streets across the Mall, forty-two thousand dollars. And the act incorporating the "Washington Gas Light Company" is hereby so amended as to prohibit said company from receiving, after the thirty-first day of December next, more than thirty-five cents per hundred cubic feet of gas, furnished by it to any consumer, subject to a discount of not less than ten per centum on all bills for gas, if paid at the office of said company within five days from the rendition thereof, provided all arrears shall have been previously paid. Lighting Capitol, &c.

1848, ch. 96. Vol. ix. p. 722.

Price of gas limited.

For purchase of books for library at the Executive mansion, to be expended under the direction of the President of the United States, two hundred and fifty dollars. Library of Executive mansion.

For repairs of the Potomac, Navy Yard, and upper bridges, six thousand dollars. Bridges.

For taking down and rebuilding the southernmost span of the bridge across the Potomac, known as "The Long Bridge," three thousand two hundred and forty-seven dollars and fifty-four cents.

Pennsylvania Avenue.

For repairs of Pennsylvania Avenue, three thousand dollars.

Streets.

For grading and gravelling B Street south, from Seventh to Fourteenth Streets west, setting curb and paving gutter with stone, and footway with brick on the north side of the same, next to the public reservation, seven thousand nine hundred and seventy-nine dollars and fifty cents.

For enclosing the circle at the intersection of Pennsylvania Avenue, and New Hampshire Avenue and K and Twenty-third streets with a wrought-iron railing five feet high, nine thousand and eighteen dollars and forty-seven cents.

Reservations.

For public reservation number two, and Lafayette Square, two thousand dollars.

For taking care of the grounds south of the President's house, continuing the improvement of the same, and keeping them in order, five hundred dollars.

For repairs of water-pipes, five hundred dollars.

For cleaning out the sewer-traps on Pennsylvania Avenue, and repairing the same, three hundred dollars.

Smithsonian grounds.

For repairing the fence around that portion of the mall upon which the Smithsonian building is situated, five hundred dollars.

Missouri Avenue.

For curbing, paving footwalk and gutter, laying stone footway and grading on the south side of Missouri Avenue from Third to Sixth Streets, west, one thousand nine hundred and thirty-nine dollars and thirty-seven cents.

Land Surveys.

For seats of wood in the Smithsonian grounds, one hundred dollars.

Survey of the Public Lands.—For surveying the public lands, (exclusive of California, Oregon, Washington, New Mexico, Kansas, Nebraska, and Utah,) including incidental expenses and island surveys in the interior, and all other special and difficult surveys demanding augmented rates, to be apportioned and applied to the several surveying districts, according to the exigencies of the public service, including expenses of selecting swamp lands and the compensation and expenses to survey or to locate private land claims in Louisiana, in addition to the unexpended balances of all former appropriations, fifty thousand dollars.

California.

For surveying the public lands and private land claims in California, to be disbursed at the rates prescribed by law for the different kinds of work, twenty thousand dollars.

New Mexico.

For surveying the public lands and private land claims in New Mexico, ten thousand dollars.

Kansas and Nebraska.

For surveying the public lands in Kansas and Nebraska, also outlines of Indian reservations, twenty thousand dollars.

Clerk on special service.

For salary of the clerk detailed for the special service in the General Land Office to attend to the unfinished surveys in the States, when the offices of the surveyors general have been closed, two thousand dollars.

Oregon.

For surveying the public lands in Oregon, to be disbursed at the rates now authorized by law, fifteen thousand dollars.

Washington Territory.

For surveying the public lands in Washington Territory, at the rates now authorized by law, fifteen thousand dollars.

Patent office. Drawings.

Patent Office.—For drawings to illustrate the report of the Commissioner of Patents for the year eighteen hundred and sixty, six thousand dollars.

Agricultural statistics.

For collection of agricultural statistics, investigations for promoting agricultural and rural economy, and the procurement of cuttings and seeds, sixty thousand dollars: *Provided, however,* That in the expenditure of this appropriation, and especially in the selection of cuttings and seeds for distribution, due regard shall be had to the purposes of general cultivation, and the encouragement of the agricultural and rural interests of

Rules of distribution of seeds, &c.

all parts of the United States; *Provided*, That no part of this amount shall be expended as a commission, exchange, gift, dividend or loan, or as compensation for extra services to any clerk, messenger, watchman or other person already receiving a salary or wages under the government of the United States, nor to any partner, employee or member of the family of any such clerk, messenger, watchman or other person so employed by the United States as aforesaid; and should the provisions of this section be violated, or any such employee of the United States be detected, or be known to sell, exchange, or otherwise dispose of any cuttings, seeds or other property arising from this or any previous agricultural appropriation by Congress, every such clerk, messenger, watchman, or other person receiving a salary or wages, as aforesaid, shall be dismissed from office.

Proviso.

No part to be expended as commissions, &c

Penalty.

For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter, one thousand four hundred dollars.

Care of copyrights, &c.

Government Hospital for the Insane.—For the support, clothing, and medical treatment of the insane of the District of Columbia, and of the army and navy, at the asylum in said district, thirty thousand dollars.

Hospital for the insane.

For books and incidental expenses of the asylum, five hundred dollars.

For completion of the four eastern sections of the east wing of the hospital edifice, thirty-six thousand one hundred and eleven dollars.

For furnishing the four eastern sections of the east wing of the hospital edifice, five thousand three hundred and forty-three dollars.

For extending the heating apparatus into the four eastern sections of the hospital edifice, five thousand dollars.

For erecting, furnishing, lighting, and heating a lodge for colored women, corresponding to that already erected and occupied by colored men, ten thousand dollars.

For a gas-holder, to be placed in a position in the rear of the east wing of the hospital, corresponding to that occupied by the present gas-holder in the rear of the west wing, one thousand dollars.

Exploring Expedition.—For preservation of the collections of the exploring and surveying expeditions of the government, four thousand dollars.

Exploring expedition.

Institution of the Deaf, Dumb, and Blind.—For salaries and incidental expenses of the Institution of the Deaf, Dumb, and Blind, in the District of Columbia, three thousand dollars.

Deaf, dumb, and blind.

For expenses to be incurred in taking the eighth census of the inhabitants of the United States, one million dollars.

Eighth census.

For extension of the General Post-Office, seventy thousand dollars.

General Post-Office extension. Botanic garden.

Botanic Garden.—For grading, draining, procuring manure, tools, fuel, and repairs, purchasing trees and shrubs for botanic garden, to be expended under the direction of the Library Committee of Congress, three thousand three hundred dollars.

For pay of horticulturist and assistants in the botanic garden and greenhouses, to be expended under the direction of the Library Committee of Congress, five thousand one hundred and twenty-one dollars and fifty cents.

To enable the Secretary of the Interior to supply such newly created offices as are entitled thereto by the act of eighth August, eighteen hundred and forty-six, with full sets of the Statutes at Large, and to replace those once furnished to old officers, which have since been unavoidably lost or destroyed, one thousand dollars.

Statutes at Large. 1846, ch. 100, Vol. ix. p. 75.

For completing the printing, binding, and publishing one thousand copies of the papers of James Madison, under the direction and control of the Joint Committee on the Library of Congress, two thousand dollars; and the said committee are hereby authorized to contract for the printing and binding of the same with such person or persons as they may think proper to employ.

Madison papers

Capitol in New Mexico.

Proviso.

For the completion of the capitol in the Territory of New Mexico, sixty thousand dollars: *Provided*, That no part of the money hereby appropriated shall be expended till detailed plans and estimates for the entire completion of the building for the public service for the sum hereby appropriated shall have been prepared, submitted, and approved by the Secretary of the Treasury.

Light-house at Oswego, New York.
1850, ch. 82,
Vol. xi. p. 425.

SEC. 2. *And be it further enacted*, That the sum of thirty thousand dollars, heretofore appropriated by act of third March, eighteen hundred and fifty-nine, for the purpose of repairs and incidental expenses to the light-house at Oswego and buildings connected therewith, and which remains unexpended, may be used and applied for repairing and securing and protecting the pier connected with the light-house at Oswego, New York, so as to prevent the destruction of said light-house and pier.

Court-room and law library at the Capitol.

For converting the old senate chamber into a court room, the old court room into a law library, and for fitting up the rooms in connexion with them, for the use of the Supreme Court and its officers, twenty-five thousand dollars: *Provided*, The work can be finished for that sum, to be expended under the direction of the Commissioner of Public Buildings and Grounds.

How appropriation expended.

Survey of eastern boundary of California.

Capitol in Nebraska.

Survey of part of boundary between Oregon and Washington.

For the survey of the eastern boundary of California, in pursuance of a law passed during the present session of Congress for that purpose, fifty-five thousand dollars; and for the repair of the capitol building in Nebraska, five thousand dollars.

For the survey of the forty-sixth parallel of north latitude, so far as it constitutes a common boundary between Oregon and Washington Territory, four thousand five hundred dollars.

Interest to the Chickasaws.

To enable the Secretary of the Treasury to pay to the Chickasaw Indians interest on one hundred thousand dollars, part of their national fund which was paid into the treasury in January, eighteen hundred and fifty-seven, on account of the redemption of that amount of the state stock of Ohio previously held by that department in trust for that fund, twenty-one thousand dollars.

Finishing maps &c. of Atrato route.

For the purpose of paying existing liabilities, and to finish the maps and calculations of the survey of the Atrato route of the interoceanic canal, six thousand five hundred dollars.

Rooms in the Capitol for the Court of Claims.

For fitting up the rooms in the centre building of the Capitol, formerly occupied by the Senate committees on naval, military, and Indian affairs, for the use of the Court of Claims, under the superintendence of the Commissioner of Public Buildings, three thousand dollars.

Act 1850, ch. 80, § 2, Vol. xi. p. 422, relating to payment of cents from mint, repealed.

Art commission abolished.

1859, ch. 154,
Vol. xi. p. 323.

Pay of examiners &c. in Patent-Office.

SEC. 3. *And be it further enacted*, That the second section of the act "making appropriations for the legislative, executive, and judicial expenses of the government for the year ending the thirtieth of June, eighteen hundred and sixty," approved the third of March, eighteen hundred and fifty-nine, shall be, and the same is hereby, repealed.

SEC. 4. *And be it further enacted*, That all existing laws creating an art commission be, and the same are hereby, repealed.

SEC. 5. *And be it further enacted*, That the Commissioner of Patents is hereby authorized to pay those employed in the Patent-Office from April first, eighteen hundred and fifty-five, until April first, eighteen hundred and sixty, as examiners and assistant examiners of patents, at the rates fixed by law for these respective grades: *Provided*, That the same be paid out of the Patent-Office fund, and that the compensation thus paid shall not exceed that received by those duly enrolled as examiners and assistant examiners of patents for the same period.

Proviso.

Contract with Gales & Seaton, as to American State Papers, to be modified.
1858, ch. 154,
§ 19, Vol. xi. p. 323.

SEC. 6. *And be it further enacted*, That the contract made with Gales and Seaton, under the nineteenth section of the "Act making appropriations for sundry civil expenses of the government for the year ending the thirtieth of June, eighteen hundred and fifty-nine," approved the twelfth of June, eighteen hundred and fifty-eight, for the publication of a continu-

ation of the "American State Papers," be so modified as to require the publishers to defray all the expenses of selecting, compiling and arranging the documents proper to be included in that work; also the expenses of binding, and of all engraving on copper, steel and wood, and for lithographing, which may be considered necessary by the secretary of the Senate and clerk of the House of Representatives, together with the expenses of preparing full and proper indexes for each volume, and a general index of the whole work, including the volumes contained in the first series, and all other contingent or incidental expenses whatsoever attending such publication. And, moreover, that the price to be allowed to the publishers for said work shall be fifteen per centum less per volume than the average price per volume paid for the first series of the same, printed under the act of March second, eighteen hundred and thirty-one. And the said volumes shall be delivered to the Secretary of the Interior as the same may be completed, who shall place three hundred copies in the Department of State for its use, and for exchange with foreign governments, and seven hundred copies in his own department for distribution to public libraries in the several States and Territories, and hold the residue of the copies in his custody, subject to the further order of Congress. And the Secretary of the Treasury is hereby directed to pay the publishers of the said work, at the rate per volume above mentioned, out of any money in the treasury not otherwise appropriated, as the same may be delivered to the Secretary of the Interior, and on his certificate of delivery; and so much of the aforesaid nineteenth section of the act of June twelve, eighteen hundred and fifty-eight, as is inconsistent with this act, be, and the same, is hereby repealed: *Provided*, That the volumes shall average not less than one thousand pages: *Provided further*, That the whole amount expended in the publication of these volumes shall not exceed three hundred and forty thousand dollars.

SEC. 7. *And be it further enacted*, That the Secretary of the Treasury be, and he is, hereby, authorized and directed to settle and adjust the accounts of the contractor for the erection of the United States custom-house and post-office at San Francisco, California, and to pay to said contractor, out of any money in the treasury not otherwise appropriated, the amount that may be found to be justly due to him under the contracts made between said contractor and the proper officers of the government for erecting said building, and, also, such sum as may be found due for furnishing the same.

SEC. 8. *And be it further enacted*, That the District Attorney of the United States for the District of Columbia, under the direction of the President of the United States, shall ascertain the fair cash value of the real estate hereinafter mentioned; also, at what price the same can be purchased, and the condition of the titles, and report the result to Congress at its next session, to wit: the following described squares and parts of squares in the city of Washington, namely: so much of square five hundred and seventy-five as is included within the following described lines: beginning on the west side of First Street, west, at a point sixty-seven feet north of the southeast corner of said square, and running thence south with the line of First Street west to the southeast corner of said square; thence with the line of Pennsylvania Avenue along the boundary of said square in said avenue one hundred and eighty feet; thence in a straight line to the point of beginning; also so much of square five hundred and seventy-six as is included within the following described lines: beginning on the west side of First Street west, at a point sixty-seven feet south of the northeast corner of said square, and running thence north with the line of First Street west, to the northeast corner of said square; thence, with the line of Maryland Avenue along the boundary of said square on said avenue, one hundred and eighty feet; thence in a straight

Price.

1831, ch. 65.
Vol. iv. p. 471.
Vol. iv. p. 669.
Distribution.

Pay of publishers.

Portions of act
of 1858, inconsistent
herewith,
repealed.

Size of volume.
Whole expense.

Accounts of
contractor to
build custom-
house &c. at San
Francisco to be
adjusted.

Value of certain
land in the city
of Washington to
be ascertained.

line to the point of beginning; also, the whole of squares six hundred and eighty-seven and six hundred and eighty-eight.

APPROVED, June 25, 1860

June 25, 1860. CHAP. CCXII.—*An Act making further Appropriations for the Service of the Post-Office Department during the fiscal Year ending the thirtieth of June, eighteen hundred and sixty.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the service of the Post-Office Department for the year ending the thirtieth of June, eighteen hundred and sixty, out of any moneys in the treasury arising from the revenues of the said department, in conformity to the act of the second of July, eighteen hundred and thirty-six:

1836, ch. 270.
Vol. v. p. 80.

Transportation of the mails, (inland).

Proposals and contract for carrying mail in steamships from Charleston, S. C., &c.

Compensation of postmasters.

Clerks.

Ship letters.

Office furniture.

Advertising.

Mail bags.

Interest to contractors.

For transportation of the mails, (inland,) seven million six hundred and ninety-four thousand and ten dollars: And the Postmaster-General is hereby authorized and required to advertise for proposals, and contract with the lowest responsible bidder or bidders, for the transportation of the United States mail, in steamships, from Charleston, South Carolina, via Savannah, Georgia, to Key West, Florida, and back, twice a month, or oftener, from the first day of July, eighteen hundred and sixty, to the thirtieth of June, eighteen hundred and sixty-four, inclusive, at such sum as he may think reasonable, not to exceed fifty thousand dollars per annum.

For compensation to postmasters, one million two hundred and seventy-six thousand dollars.

For clerks in the offices of postmasters, four hundred and seventy-five thousand dollars.

For ship, steamboat, and way letters, twenty thousand dollars.

For office furniture in the post-offices, four thousand dollars.

For advertising, seventy thousand dollars.

For mail bags, twenty-seven thousand five hundred dollars; and out of the same the Postmaster-General shall pay to the contractors for furnishing leather mail pouches, wrapping and printing paper, mail locks and keys, and stamps, interest, at the rate of six per cent. on all sums heretofore due said contractors, and which remained unpaid for want of funds, from the time said sums were due to the day when the principal sums were in fact paid.

For blanks, fifty-four thousand dollars.

For wrapping paper, twenty-six thousand dollars.

For mail locks, keys, and stamps, seven thousand five hundred dollars.

For mail depreddations and special agents, thirty-seven thousand five hundred dollars.

Miscellaneous.

For miscellaneous payments, two hundred thousand dollars.

Postage stamps, &c.

For postage stamps and stamped envelopes, fifty thousand dollars.

Foreign balances.

For payments of balances due to foreign countries, three hundred thousand dollars.

Letter-carriers.

For payments to letter-carriers, one hundred and eighty-seven thousand and thirty-seven dollars.

Deficiencies for year ending June 30, 1860.

SEC. 2. *And be it further enacted,* That the sum of three million one hundred and twenty-six thousand three hundred and twenty-four dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post-Office Department for the year ending the thirtieth of June, eighteen hundred and sixty.

Payment of balance due E. K. Collins, &c.

SEC. 3. *And be it further enacted,* That the Secretary of the Navy is hereby directed to pay E. K. Collins and his associates the sum of eighty thousand two hundred and eighty-two dollars and seventy-two cents, that being the remaining balance found due them upon their con-

tract for transporting the United States mail between New York and Liverpool.

SEC. 4. *And be it further enacted,* That whenever any contractor in the service of the Post-Office Department shall at any time between the third day of March, eighteen hundred and fifty-nine, and the first day of April eighteen hundred and sixty, have failed to perform the service agreeable to the terms of his contract, and the rules and regulations of the Department, and the Postmaster-General shall be satisfied from the testimony before him that such failure was occasioned by the inability of the Department to make payment to such contractor for service performed under his contract, growing out of the defeat of the appropriation bill for the support of the Department for the past year, then the said Postmaster-General shall have power by order to relieve and absolve such contractor from all the disabilities and pecuniary responsibilities which under the existing laws and regulations would attach to such failure.

Contractors failing to keep their contract from default of payment, to be relieved therefrom.

APPROVED, June 25, 1860.

CHAP. CCXIII.—*An Act to establish two Indian Agencies in Nebraska Territory, and one in the Territory of New Mexico.*

June 25, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be appointed by the President of the United States, by and with the advice and consent of the Senate, three additional agents for the Indian service, at an annual salary of fifteen hundred dollars each; one for the Indians in the Territory of New Mexico, one for the "Ponca" tribe, and one for the "Pawnees" in the Territory of Nebraska.

Three additional Indian agents to be appointed.

Salary.
Agent for New Mexico.
Poncas.
Pawnees.

APPROVED, June 25, 1860.

CHAP. CCXIV.—*An Act to grant to the Parish of Point Coupee, Louisiana, certain Tracts of Land in said Parish.*

June 25, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tracts of land in the Parish of Point Coupee, Louisiana, which have been in ancient occupancy as the site of a church and court house, and which are designated on the plats of the public surveys as sections twenty-three and twenty-four, in township four, south, of range ten, east, in the southeastern district, Louisiana, be, and the same are hereby, granted to the said Parish of Point Coupee, on the condition that the aforesaid section twenty-four, or the church site, shall be held by said parish for the use of the Catholic congregation now occupying it for public worship and as a burying-ground; but not to the prejudice of a valid adverse right, if such exist.

Land to be given Parish of Point Coupee.

Condition.

APPROVED, June 25, 1860.

RESOLUTIONS.

Feb. 24, 1860. [No. 1.] *A Resolution giving the Consent of Congress to Captain William B. Shubrick to accept a Sword presented to him by Captain-General and President Urquiza of the Argentine Confederation.*

William B. Shubrick may accept sword.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress be granted to Captain William Branford Shubrick, flag-officer, late commanding in chief the squadron on the coast of Brazil and the Paraguay expedition, to accept a sword presented to him by his Excellency, Justo Jose de Urquiza, Captain-General and President of the Argentine Confederation, as a mark of his appreciation of the "distinguished character" of that officer—said sword having been worn by the President on the occasion of signing the new act of Confederation of the Argentine States.

APPROVED, February 24, 1860.

Feb. 24, 1860. [No. 2.] *Joint Resolution making an Appropriation for inaugurating the Equestrian Statue of Washington.*

Appropriation for inauguration of equestrian statue of Washington.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be expended by the Secretary of the Interior in transporting and placing Mills' Statue of Washington on the pedestal designated by the proper authorities, and in the ceremonies appropriate to the occasion.

APPROVED, February 24, 1860.

March 28, 1860. [No. 4.] *A Joint Resolution for the Relief of the Contractors of the Post-Office Department.*

Contractors and route agents to be paid in part.

1836, ch. 270. Vol. v. p. 60.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the accruing revenues of the Post-Office Department be, and the same are hereby, appropriated, in part payment of contractors for carrying the mails, and of route agents, during the quarter ending thirty-first March, eighteen hundred and sixty, under the provisions of the act of July second, eighteen hundred and thirty-six.

APPROVED, March 28, 1860.

April 6, 1860. [No. 5.] *Joint Resolution constituting Macon, Georgia, a Port of Entry for the Time being, for the Purposes therein specified, and for other Purposes.*

Preamble.

Whereas it is in contemplation, by the Cotton Planters' Convention of the State of Georgia, to institute and hold a fair in the month of December, in the city of Macon, in the State of Georgia; and whereas it is contemplated by a foreign association to exhibit their goods at such fair; and whereas Macon being neither a port of entry or delivery, articles imported for exhibition at said fair cannot, under existing laws, be exempted from duty, though exported again when withdrawn from exhibition: Therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Macon, Georgia, be, and is hereby, constituted a port of entry, so far and to such extent as to authorize the Secretary of the Treasury, at his discretion, to extend thereto all existing revenue laws prevailing at ports of entry, and applicable to bonded warehouses, to the bonding of imported goods, wares, and merchandise, and the exportation of the same: *Provided,* That the force and effect hereof shall appertain only to importations made for the purposes exclusively above recited, and for exportations of the same so having been exhibited, and at such time or times before, during, and after the said fair, as shall, in the judgment of the Secretary of the Treasury, seem reasonable for the aforesaid purposes thereof.

Macon, Georgia, to be a port of entry for certain purposes.

Proviso.

APPROVED, April 6, 1860.

[No. 6.] *A Resolution in Regard to the Minister from Japan.*

April 19, 1860.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of fifty thousand dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to defray the expenses of the envoys and suite constituting the Japanese embassy, expected to arrive in the United States. The same, or so much thereof as may be required, to be expended under the direction of the Secretary of State.

\$50,000 appropriated for expenses of Japanese embassy.

APPROVED, April 19, 1860.

[No. 7.] *A Resolution to allow Credit to certain Disbursing Officers therein mentioned.*

April 19, 1860.

Whereas by the act of the thirtieth of August, eighteen hundred and fifty-two, entitled "An act making appropriations for the improvement of certain harbors and rivers," the following appropriations (among others) were made, to wit: For the improvement of the navigation of the Mississippi River, below the rapids, ninety thousand dollars; the Ohio, including repairs of the dam at Cumberland Island, ninety thousand dollars; the Missouri and Arkansas Rivers, each forty thousand dollars; and for the construction and repair of snag-boats, dredge-boats, discharging scows, and machinery to be used on the Mississippi, Ohio, Missouri, Arkansas, and other western rivers, one hundred and fifty thousand dollars;" and whereas, it also appears that in carrying into effect the said provision of law the officers and agents of government intrusted therewith, and with the application and disbursement of said appropriations, did apply and disburse part of the money appropriated as aforesaid for "the improvement of the navigation" of said rivers, for the construction or repairs of the said snag-boats, dredge-boats, discharging scows, or machinery, in aid of and in addition to the appropriation of one hundred and fifty thousand dollars, made for this specific object, and which proved to be inadequate; in consequence whereof, and of this application to one object of money appropriated to another, the officers or agents are unable to settle their accounts, though prepared, as they allege, to show that said money has been expended in the service of the government, be it

Preamble.
1862, ch. 104.
Vol. x. p. 56.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the accounts of the said officers and agents who are chargeable as aforesaid for the disbursement of said appropriations, respectively, shall be settled at the treasury of the United States upon equitable principles, and all just credits allowed for the building or repairing of said boats, scows, and machinery, without regard to the fact of their exceeding in amount the one hundred and fifty thousand dollars appropriated for that purpose, and as though the application to that purpose of part of the money appropriated as aforesaid to "the im-

Accounts of officers to be settled on equitable principles.

Proviso. *provement of the navigation* " of said rivers had been lawful: *Provided*, That the credits allowed shall not exceed the total amount of said appropriations.

APPROVED, April 19, 1860.

May 9, 1860.

[No. 9.] *A Resolution authorizing Captains William L. Hudson and Joshua R. Sands to accept certain Testimonials awarded to them by the Government of Great Britain.*

Captains Wm. L. Hudson and Joshua R. Sands may accept snuff-box and medal.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Captains William L. Hudson and Joshua R. Sands, of the navy of the United States, be, and they are hereby, authorized to accept the snuff-box and medal recently transmitted to this government by the government of Great Britain to be presented to each of said officers as memorials of their services in laying down the Atlantic cable.

APPROVED, May 9, 1860.

May 24, 1860.

[No. 12.] *A Resolution authorizing the Enlargement of, and Construction of a Branch to, the Louisville and Portland Canal.*

Louisville and Portland Canal to be enlarged and branch built.

Proviso.

United States to be in no way liable.

Tolls.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President and Directors of the Louisville and Portland Canal Company be, and they are hereby, authorized, with the revenues and credits of the company, to enlarge the said canal and to construct a branch canal from a suitable point on the south side of the present canal, to a point in the Ohio River, opposite Sand Island, sufficient to pass the largest class of steam-vessels navigating the Ohio River: *Provided*, That nothing herein contained, shall authorize the said president and directors, directly or indirectly, to use or pledge the faith or credit of the United States for the said enlargement or construction. It hereby being expressly declared, that the government of the United States shall not be in any manner liable for said enlargement and construction: *Provided, further*, That when said canal is enlarged and its branch canal constructed and its cost of said improvements paid for, no more tolls shall be collected than an amount sufficient to keep the canal in repair and pay for all necessary superintendence and management.

APPROVED, May 24, 1860.

June 15, 1860.

[No. 18.] *A Resolution for Supplying the Choctaw, Cherokee, and Chickasaw Nations with such Copies of the Laws, Journals, and public printed Documents as are furnished to the States and Territories.*

Laws and documents to be furnished the Choctaws.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Choctaw, Cherokee, and Chickasaw nations of Indians through such agent as they may designate, be furnished by the Secretary of the Interior with such copies or volumes of the laws of the United States, journals of Congress, and documents printed by order of Congress as are supplied to the States and Territories of the United States.

APPROVED, June 15, 1860.

June 15, 1860.

[No. 19.] *A Resolution in Relation to the Works of the Exploring Expedition.*

Two copies of works of Exploring Expedition to be distributed. Vol. v. p. 797.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That two copies of the works of the Exploring Expedition, so far as they can be supplied from the copies ordered to be deposited in the library of Congress for preservation, by the resolution of February twentieth, eighteen hundred and forty-five, and the residue of said works as they shall be completed, be delivered to the Secretary of State, one copy of which to be presented by him to the

federal republic of Switzerland, and the other to the Naval Academy at Annapolis, in the State of Maryland.

APPROVED, June 15, 1860.

[No. 20.] *A Resolution providing for the Observation of the Eclipse of the Sun which will occur on the eighteenth day of July next.* June 15, 1860.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Superintendent of the United States Coast Survey be, and he hereby is, authorized and directed to furnish a vessel and provisions for the conveyance to the most suitable point on the eastern coast of this continent, for observing the total eclipse of the sun, which will occur on the eighteenth day of July next, of astronomers, not exceeding five in number, and their assistants, to be selected by the said Superintendent of the Coast Survey: Provided, That the United States shall not be liable to any other charge on account of the said astronomers and their assistants than their conveyance and provisions as herein provided, and that they shall furnish their observations for the use of the coast survey without further charge to the government.

Observation of
eclipse of sun of
July 18, 1860.

Proviso.

APPROVED, June 15, 1860.

[No. 25.] *Joint Resolution in Relation to the Public Printing.*

June 23, 1860.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Superintendent of Public Printing be, and is hereby, authorized and directed to have executed the printing and binding authorized by the Senate and House of Representatives, the executive and judicial departments, and the Court of Claims. And to enable him to carry out the provisions of this act, he is authorized and directed to contract for the erection or purchase of the necessary buildings, machinery, and materials for that purpose; said contract to be subject to the approval of the Joint Committee on Printing of the two Houses of Congress: Provided, That the sum so contracted to be paid shall not exceed one hundred and fifty thousand dollars.

Public printing
and binding,
how to be executed.

Buildings, &c.,
to be erected,
&c., by contract,
&c.

Limit in price.

SEC. 2. And be it further enacted, That it shall be the duty of the said Superintendent to superintend all the printing and binding, the purchase of paper, as hereinafter directed, the purchase of other necessary materials and machinery, and the employment of proof-readers, compositors, pressmen, laborers, and other hands necessary to execute the orders of Congress and of the executive and judicial departments, at the city of Washington. And to enable the said Superintendent more effectually to perform the duties of his office, he shall appoint a foreman of printing, at an annual salary of eighteen hundred dollars, and a foreman of binding, at an annual salary of fifteen hundred dollars; but no one shall be appointed to said positions who is not practically and thoroughly acquainted with their respective trades. It shall be the duty of the said foremen of printing and binding to make out and deliver to the said Superintendent, monthly statements of the work done in their respective departments, together with monthly pay-rolls, which shall contain the names of the persons employed, the rate of compensation and amount due to each, and the service for which it shall be due. They shall also make out estimates of the amount and kind of materials required, and file requisitions therefor, from time to time, as it may be needed, and shall receipt for the same to the Superintendent. And the said foremen shall be held accountable for all materials so received by them: Provided, That the Superintendent shall, at no time employ more hands in the public printing and binding establishment than the absolute necessities of the public work may require; and further, that the Superintendent report to Congress, at the beginning of each session of Congress, the number of hands so employed, and the length of time each has been employed.

Duty of Superintendent of public printing.

Foreman of
printing and fore-
man of binding.

Qualifications,
salaries and
duties.

Proviso.

Superintendent to be responsible for manuscripts, &c.

Accounts.

Advances of money to.

Rates of printing.

Superintendent to charge himself with materials, &c., received, &c.

All printing, binding, &c., to be done under direction of Superintendent.

Proviso.

Superintendent to have charge of matter ordered to be printed, &c.

Standard of paper for congressional documents.

Superintendent to furnish samples and to advertise for proposals, &c.

SEC. 3. *And be it further enacted*, That said Superintendent shall take charge of and be responsible for all manuscripts and other matter to be printed, engraved, or lithographed, and cause the same to be promptly executed. And he shall render to the Secretary of the Treasury, quarterly, a full account of all purchases made by him, and of all printing and binding done in said office for each of the houses of Congress, and for each of the executive and judicial departments. For the payment of the work and materials, there shall be advanced to the said Superintendent, from time to time, as the public service may require it, and under such rules as the Secretary of the Treasury may prescribe, a sum of money, at no time exceeding two-thirds of the penalty of said Superintendent's bond. And the said Superintendent shall settle the account of his receipts and disbursements in the manner now required of other disbursing officers: *Provided, however*, That said Superintendent shall not be allowed credit at the treasury for payments on account of services rendered in said printing establishment, at higher prices than those paid for similar services in the private printing and binding establishments of the city of Washington.

SEC. 4. *And be it further enacted*, That it shall be the duty of the said Superintendent to charge himself, in a separate book to be kept therefor, with all paper and other materials received by him for the public use, and to furnish the same to the foremen employed by him, on their requisitions, herein provided for, as the public service may require, taking a receipt in all cases therefor from the foreman at the head of the department in which the paper, or other material, has been used.

SEC. 5. *And be it further enacted*, That all the printing and binding, and all blank books ordered by the heads of the executive and judicial departments of the government, or of the chiefs of the bureaus thereof, and all the printing and binding, and all blank books ordered by Congress, or by either house of Congress, shall, on and after the fourth day of March, eighteen hundred and sixty-one, be done and executed under said Superintendent, in accordance with the provisions of this act: *Provided*, That all the printing ordered, and to be ordered, by the Thirty-sixth Congress, shall be executed by the printers of the Senate and House of Representatives, as now authorized by law; but no printing or binding other than that ordered by Congress or the heads of departments, as aforesaid, shall be executed in said office.

SEC. 6. *And be it further enacted*, That it shall be the duty of said Superintendent to receive from the Secretary of the Senate and the Clerk of the House of Representatives, and from the heads of departments and chiefs of bureaus, all matter ordered to be printed and bound, or either printed or bound, at the public expense, and to keep a faithful account of the same, in the order in which the same may be received; and when the same shall have been printed and bound, if the same is ordered to be bound, see that the volumes or sheets are promptly delivered to the officer of the Senate, or House of Representatives, or department, authorized to receive the same, whose receipt therefor shall be a sufficient voucher, by the Superintendent, of their delivery.

SEC. 7. *And be it further enacted*, That the Joint Committee on Printing for the two houses of Congress shall agree and fix upon a standard of paper for the printing of congressional documents, to weigh not less than fifty pounds to the ream of five hundred sheets, of twenty-four by thirty-eight inches; and it shall be the duty of the said Superintendent of the Public Printing to furnish samples of said standard paper to applicants therefor, and to advertise annually, in one or more newspapers having the largest circulation in the cities of Boston, New York, Philadelphia, Baltimore, Cincinnati, Chicago, Washington, Richmond, Raleigh, Charleston, New Orleans, and Saint Louis, for the space of sixty days prior to the first of July, for sealed proposals to furnish the government of the United

States all paper which may be necessary for the execution of the public printing, of quality and in quantity to be specified in the said advertisements from year to year. He shall open such proposals as may be made in the presence of the Secretary of the Senate and the Clerk of the House of Representatives, and shall award the contract for furnishing all of said paper, or such class thereof as may be bid for, to the lowest bidder, for the quality of paper advertised for by the said Superintendent, and determined by the Joint Committee of the two houses of Congress. It shall be the duty of said Superintendent to compare the paper furnished by the public contractor with the standard quality; and he shall not accept any paper from the contractor which does not conform to the standard determined upon as aforesaid. And in case of difference of opinion between the Superintendent of Public Printing and the contractors for paper, with respect to its quality, the matter of difference shall be determined and settled by the Joint Standing Committee on Printing of the two houses of Congress. In default of any contractor under this law to comply with his contract in furnishing the paper in the proper time, and of proper quality, the Superintendent is authorized to enter into a new contract with the lowest and best bidder for the interests of the government amongst those whose proposals were rejected at the last annual lettings, if it be practicable so to do, and if not, then to advertise for proposals, and award the contract as hereinbefore provided; and during any interval which is thus created by the new advertisement for such proposals, the Superintendent shall purchase in the open market, by and with the approval of the Secretary of the Interior, all such paper necessary for the public service, at the lowest price. For any increase of cost to the government in procuring a supply of paper for the use of the government, the contractor in default and his securities shall be charged with, and held responsible for the same, and shall be prosecuted upon their bond by the Solicitor of the Treasury, in the name of the United States, in the Circuit Court of the United States, in the district in which the defaulting contractor resides; and to enable the Solicitor to do so, the said Superintendent shall report to him the default on its happening, with a full statement of all the facts in the case. The said Superintendent shall keep a just and true account of all the paper received from the contractor or contractors, together with an account of all the paper used for the purposes of the government under this act, and shall report the amount of each class consumed in said printing establishment, and in what works or publications the same was used, to the Secretary of the Interior, at the end of each and every fiscal year.

SEC. 8. *And be it further enacted,* That whenever any charts, maps, diagrams, views, or other engravings shall be required to illustrate any document ordered to be printed by either house of Congress, such engravings shall be procured by the Superintendent of Printing, under the direction and supervision of the Committee on Printing of the house ordering the same.

SEC. 9. *And be it further enacted,* That it shall be the duty of the said Superintendent annually to prepare and submit to the Register of the Treasury, in time to have the same embraced in the annual estimates from that department, detailed estimates of the salaries, amount to be paid for wages, engraving, binding, materials, and for any other necessary expense of said printing establishment for the second year. And the said Superintendent shall also, on the first day of the meeting of each session of Congress, or as soon thereafter as may be, report to Congress the exact condition of the public printing, binding, and engraving; the amount and cost of all such printing, binding, and engraving; the amount and cost of all paper purchased for the same; a statement of the several bids for materials, and such further information as may be within his knowledge in regard to all matters connected therewith.

SEC. 10. *And be it further enacted,* That neither the Superintendent

Differences between superintendent and contractors, how determined.

Proceedings where contractor is in default.

Liability of such contractors and their surties.

Superintendent to keep account.

Engraving.

Superintendent annually to prepare estimates.

To report to Congress.

Superintendent, &c., not to be interested directly or indirectly, &c.

Penalty.

Collusion of Superintendent.

How punished.

nor any other officer to be appointed under this act shall, during his continuance in office, have any interest, direct or indirect, in the publication of any newspaper or periodical, or in any printing of any kind, or in any binding or engraving, or in any contract for furnishing paper or other material connected with the public printing; and any violation of this section shall subject the party offending, on conviction before any court of competent jurisdiction, to imprisonment in the penitentiary for a term of not less than one, nor more than five years, and to a fine of five hundred dollars.

SEC. 11. *And be it further enacted*, That if the said Superintendent shall corruptly collude with any person or persons furnishing materials or bidding therefor, or with any other person or persons, or have any secret understanding with him or them, by himself or through others, to defraud the United States, or by which the government of the United States shall be defrauded or made to sustain a loss, contrary to the true intent and meaning of this act, he shall, upon conviction thereof before any court of competent jurisdiction, forfeit his office and be subject to imprisonment in the penitentiary for a term of not less than three, or more than seven years, and to a fine of three thousand dollars.

APPROVED, June 23, 1860.

June 25, 1860.

[No. 26.] *A Resolution explanatory of the eighth Section of the Act of Congress approved February twenty-eighth, eighteen hundred and fifty-nine.*

Construction of clause of Act of 1859, ch. 66, § 8. Vol. xi. p. 401.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the repeal of [by] the eighth section of the act of Congress, approved the twenty-eighth day of February eighteen hundred and fifty-nine, of so much of the act of Congress entitled "An act to regulate trade and intercourse with Indian tribes, and to preserve peace on the frontiers," approved June thirtieth eighteen hundred and thirty-four, as provides that the United States shall make indemnification out of the treasury for property taken or destroyed in certain cases by Indians trespassing on white men, as described in said act, shall not be construed to destroy or impair any right to indemnity which existed at the date of said repeal.

APPROVED, June 25, 1860.

June 25, 1860.

[No. 27.] *Joint Resolution to reduce the Price of Public Printing.*

Price of public printing reduced. 1852, ch. 91. Vol. x. p. 30.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the prices established and allowed for the public printing by the act entitled "An act to provide for executing the public printing and establishing the prices thereof, and for other purposes," approved August twenty-six, eighteen hundred and fifty-two, and by the several acts amendatory thereof, that is to say: for composition, press-work, folding, stitching, and inserting maps and plates, be, and the same are, reduced forty per centum; and that, for the purpose of giving full force and effect to this resolution, the Superintendent of the Public Printing is hereby authorized and directed to cause the accounts of the public printer or printers to be made out and rendered to him, as heretofore, under the provisions of the act of August twenty-six, eighteen hundred and fifty-two, (except as to the printing of the Post-Office blanks, which have been ordered by law to be put out by contract to the lowest bidder;) and before certifying the same to the Treasury for payment, he shall deduct from the aggregate amount of each account so rendered the sum of forty per centum, and the residue shall be received by the public printer or printers as full compensation for the work stated in said account. This resolution shall take effect from the passage thereof.

APPROVED, June 25, 1860.

When this resolution takes effect.

PUBLIC ACTS OF THE THIRTY-SIXTH CONGRESS

OF THE

UNITED STATES,

Passed at the second session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the third day of December, A. D. 1860, and ended on Monday, the fourth day of March, A. D. 1861.

JAMES BUCHANAN, President. JOHN C. BRECKINRIDGE, Vice-President, and President of the Senate. WILLIAM PENNINGTON, Speaker of the House of Representatives.

CHAP. I. — *An Act to authorize the Issue of Treasury Notes, and for other Purposes.* Dec. 17, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of [the] United [States] be hereby authorized to cause treasury notes, for such sum or sums as the exigencies of the public service may require, but not to exceed at any time the amount of ten millions of dollars, and of denominations not less than fifty dollars for any such note, to be prepared, signed, and issued in the manner hereinafter provided.

Treasury notes, how to be issued, amount, and denomination.

SEC. 2. *And be it further enacted,* That such treasury notes shall be paid and redeemed by the United States at the Treasury thereof after the expiration of one year from the date of issue of such notes; from which dates, until they shall be respectively paid and redeemed, they shall bear such rate of interest as shall be expressed in such notes, which rate of interest shall be six per centum per annum: *Provided,* That, after the maturity of any of said notes, interest thereon shall cease at the expiration of sixty days' notice of readiness to redeem and pay the same, which may at any time or times be given by the Secretary of the Treasury in one or more newspapers at the seat of government. The redemption and payment of said notes, herein provided, shall be made to the lawful holders thereof respectively upon presentment at the Treasury, and shall include the principal of each note and the interest which shall be due thereon. And for the payment and redemption of such notes at the time and times therein specified, the faith of the United States is hereby solemnly pledged.

To be redeemed in one year from their date.

Rate of interest, and when interest to cease.

Who to receive payment.

Faith of the United States pledged.

SEC. 3. *And be it further enacted,* That such treasury notes shall be prepared under the direction of the Secretary of the Treasury, and shall be signed in behalf of the United States by the Treasurer thereof, and countersigned by the Register of the Treasury. Each of these officers shall keep in a book, or books provided for the purpose, separate, full, and accurate accounts, showing the number, date, amount, and rate of interest of each treasury note signed and countersigned by them respectively; and, also, similar accounts showing all such notes which may be paid, re-

Notes, how signed.

Account of notes to be kept.

deemed, and cancelled, as the same may be returned; all which accounts shall be carefully preserved in the Treasury Department. And the Treasurer shall account quarterly for all such treasury notes as shall have been countersigned by the Register and delivered to the Treasurer for issue.

Treasurer to account quarterly.

Notes may be issued at par to pay public creditors.

Rate of interest on such notes, how to be determined.

Transferable by indorsement and delivery.

To be received in payment of dues to the United States.

Amount of note, how ascertained.

When taken by collectors, receivers, &c., receipt to be given, accounts to be kept, &c.

Secretary of the Treasury to make regulations, &c.

To pay notes at maturity, and to purchase them at par.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized, with the approbation of the President, to cause such portion of said treasury notes as may be deemed expedient, to be issued by the Treasurer in payment of warrants in favor of public creditors, or other persons lawfully entitled to payment, who may choose to receive such notes in payment at par; and the Secretary of the Treasury is hereby authorized, with the approbation of the President, to issue the notes hereby authorized to be issued, at such rate of interest as may be offered by the lowest responsible bidder or bidders who may agree to take the said notes at par after public advertisement of not less than ten days in such papers as the President may direct, the said advertisement to propose to issue such notes at par to those who may offer to take the same at the lowest rate of interest. But in deciding upon those bids no fraction shall be considered which may be less than one fourth per centum per annum.

SEC. 5. *And be it further enacted*, That said treasury notes shall be transferable by assignment indorsed thereon by the person to whose order the same may be made payable, accompanied together with the delivery of the note so assigned.

SEC. 6. *And be it further enacted*, That said treasury notes shall be received by the proper officers in payment of all duties and taxes laid by the authority of the United States, of all public lands sold by said authority, and of all debts to the United States, of any character whatever, which may be due and payable at the time when said treasury notes may be offered in payment thereof; and upon every such payment credit shall be given for the amount of principal and interest due on the note or notes received in payment, on the day when the same shall have been received by such officer.

SEC. 7. *And be it further enacted*, That every collector of the customs, receiver of public moneys, or other officer or agent of the United States, who shall receive any treasury note or notes in payment on account of the United States, shall take from the holder of such note or notes, a receipt on the back of each, stating distinctly the date of such payment, and the amount allowed on such note; and every such officer or agent shall keep regular and specific entries of all treasury notes received in payment, showing the person from whom received, the number, date, and amount of principal and interest allowed on each and every treasury note received in payment, which entries shall be delivered to the Treasury with the treasury note or notes mentioned therein; and, if found correct, such officer or agent shall receive credit for the amount, as provided in the sixth section of this act.

SEC. 8. *And be it further enacted*, That the Secretary of the Treasury be, and hereby is, authorized to make and issue from time to time such instructions, rules, and regulations to the several collectors, receivers, depositaries, and all others who may be required to receive such treasury notes in behalf of, and as agents in any capacity for the United States, as to the custody, disposal, cancelling, and return of any such notes as may be paid to and received by them respectively, and as to the accounts and returns to be made to the Treasury Department of such receipts, as he shall deem best calculated to promote the public convenience and security, and to protect the United States, as well as individuals, from fraud and loss.

SEC. 9. *And be it further enacted*, That the Secretary of the Treasury be, and hereby is, authorized and directed to cause to be paid the princi-

pal and interest of such treasury notes as may be issued under this act, at the time and times when according to its provisions the same should be paid. And said Secretary is further authorized to purchase said notes at par for the amount of principal and interest due thereon at the time of such purchase. And so much of any unappropriated money in the Treasury as may be necessary for the purpose, is hereby appropriated for the payment of the principal and interest of said notes.

Appropriation therefor.

SEC. 10. *And be it further enacted*, That in place of such treasury notes as may have been paid and redeemed, other treasury notes to the same amount may be issued: *Provided*, That the aggregate sum outstanding under the authority of this act shall at no time exceed the sum of ten millions of dollars: *And provided further*, That the power to issue and reissue treasury notes conferred by this act shall cease and determine on the first day of January, in the year eighteen hundred and sixty-three.

New notes may be issued in place of those redeemed.

But not at any time to exceed \$10,000,000.

Nor after Jan. 1, 1863.

SEC. 11. *And be it further enacted*, That to defray the expenses of engraving, printing, preparing, and issuing the treasury notes herein authorized, the sum of fifteen thousand dollars is hereby appropriated, payable out of any unappropriated money in the Treasury: *Provided*, That no compensation shall be made to any officer whose salary is fixed by law for preparing, signing, or issuing treasury notes.

Appropriation for expense, &c., of preparing notes.

Proviso.

SEC. 12. *And be it further enacted*, That if any person shall falsely make, forge, or counterfeit, or cause or procure to be made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any note in imitation of, or purporting to be, a treasury note, issued as aforesaid, or shall pass, utter, or publish, or attempt to pass, utter, or publish, any false, forged, or counterfeited note, purporting to be a treasury note as aforesaid, knowing the same to be falsely made, forged, or counterfeited, or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering any treasury note, issued as aforesaid, or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any falsely altered treasury note, issued as aforesaid, knowing the same to be falsely altered, every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept at hard labor for a period not less than three years nor more than ten years, and to be fined in a sum not exceeding five thousand dollars.

Forging, counterfeiting, &c., the notes, how punished

SEC. 13. *And be it further enacted*, That if any person shall make, or engrave, or cause or procure to be made or engraved, or shall have in his custody and possession any metallic plate engraved after the similitude of any plate from which any notes issued as aforesaid shall have been printed, with intent to use such plate, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any blank note or notes engraved and printed after the similitude of any notes issued as aforesaid, with intent to use such blanks, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any paper adapted to the making of such notes, and similar to the paper upon which any such notes shall have been issued, with intent to use such paper, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, every such person, being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labor for a term not less than three nor more than ten years, and fined in a sum not exceeding five thousand dollars.

Engraving plate to print forged notes, how punished.

Possession of blank notes, with intent, &c.

SEC. 14. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause a statement to be published monthly of the amount of treasury notes issued and paid and redeemed under the provisions of this act, showing the balance outstanding each month.

Secretary of Treasury to publish statement monthly.

Money hereafter contracted for

SEC. 15. *And be it further enacted*, That all money hereafter contracted

under act of 1860, ch. 180, to be applied to redemption of treasury notes.

for under the authority of the act entitled "An act authorizing a loan, and providing for the redemption of treasury notes," approved June twenty-second, eighteen hundred and sixty, shall be used in the redemption of treasury notes now outstanding, and those to be issued under this act, and to replace in the Treasury any amount of said notes which shall have been paid and received for public dues, and for no other purposes.

APPROVED, December 17, 1860.

December 17,
1860.

CHAP. II. — *An Act to amend the fourth Section of the Act for the Admission of Oregon into the Union, so as to extend the Time for selecting Salt Springs and contiguous Lands in Oregon.*

1859, ch. 33, § 4.
Vol. xi. p. 383.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time for selecting the salt springs and contiguous lands, according to the provisions of the fourth section of the act entitled "An act for the admission of Oregon into the Union," approved February fourteenth, eighteen hundred and fifty-nine, be extended to any time within three years from the passage of this act, anything in said section to the contrary notwithstanding.

APPROVED, December 17, 1860.

Time for selecting salt springs, &c., in Oregon, extended.

December 21,
1860.

CHAP. III. — *An Act making Appropriations for the Payment of Invalid and other Pensions of the United States for the Year ending June thirtieth, eighteen hundred and sixty-two.*

Appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the year ending the thirtieth of June, eighteen hundred and sixty-two.

Invalid pensions.

For invalid pensions, under various acts, three hundred and eighty thousand dollars.

1818, ch. 19.

1828, ch. 53.

1832, ch. 126.

Pensions to widows.

1836, ch. 362.

1838, ch. 189.

1843, ch. 102.

1844, ch. 102.

1848, ch. 8.

1848, ch. 120.

1853, ch. 41.

Widows and orphans.

1848, ch. 108.

1856, ch. 85.

Navy invalid pensions.

Navy pensions.

1848, ch. 155.

For pensions under acts of eighteenth March, eighteen hundred and eighteen, fifteenth May, eighteen hundred and twenty-eight, and seventh June, eighteen hundred and thirty-two, seventeen thousand dollars.

For pensions to widows of those who served in the revolutionary war, under the third section of the act of fourth July, eighteen hundred and thirty-six, the acts of seventh July, eighteen hundred and thirty-eight, third March, eighteen hundred and forty-three, seventeenth June, eighteen hundred and forty-four, second February, and twenty-ninth July, eighteen hundred and forty-eight, and second section act of third February, eighteen hundred and fifty-three, one hundred and seventy thousand dollars.

For pensions to widows and orphans, under first section act fourth July, eighteen hundred and thirty-six, act of twenty-first July, eighteen hundred and forty-eight, first section act of third February, eighteen hundred and fifty-three, and act third June, eighteen hundred and fifty-eight, three hundred and forty thousand dollars.

For navy invalid pensions, twenty-five thousand dollars.

For navy pensions to widows and orphans, under act of eleventh August, eighteen hundred and forty-eight, one hundred and fifty thousand dollars.

APPROVED, December 21, 1860.

January 5, 1861.

CHAP. V. — *An Act making Appropriations for the Support of the Military Academy for the Year ending the thirtieth of June, eighteen hundred and sixty-two.*

Appropriation for military academy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not

otherwise appropriated, for the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and sixty-two.

Appropriation
for military acad-
emy.

For pay of officers, instructors, cadets, and musicians, one hundred and seventeen thousand one hundred and seventy-six dollars.

For commutation of subsistence, four thousand one hundred and sixty-one dollars.

For forage for officers' horses, one thousand four hundred and forty dollars.

For pay in lieu of clothing to officers' servants, sixty dollars.

For current and ordinary expenses, as follows: Repairs and improvements, fuel and apparatus, forage, postage, stationery, transportation, printing, clerks, miscellaneous and incidental expenses, and departments of instruction, thirty-nine thousand and ten dollars.

For gradual increase and expense of library, one thousand dollars.

For expenses of the board of visitors, four thousand dollars.

For forage of artillery and cavalry horses, six thousand six hundred and forty dollars.

For supplying horses for artillery and cavalry practice, one thousand dollars.

For repairs of officers' quarters, five hundred dollars.

For models for the department of cavalry, one hundred dollars.

For targets and batteries for artillery exercise, one hundred and fifty dollars.

For furniture for hospital for cadets, one hundred dollars.

For annual repairs of gas pipes and retorts, three hundred dollars.

For warming apparatus for academic and other buildings, two thousand seven hundred and fifty dollars.

For materials for quarters for subaltern officers, three thousand five hundred dollars.

For kitchen for cadets' mess hall, nine hundred and fifty dollars.

For mess room and kitchen for cadets' hospital, one thousand five hundred dollars.

To defray the expenses of the commission appointed under the eighth section of an act making appropriations for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-one, in addition to the amount appropriated by said act, thirteen hundred and sixty dollars.

Expenses of
commission.
1861, ch. 163, § 8.
Ante, p. 68.

APPROVED, January 5, 1861.

CHAP. XI. — *An Act to continue in Force an Act therein mentioned, relating to the Port of Baltimore.* January 19, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act passed the seventeenth day of March, one thousand eight hundred, entitled "An act declaring the assent of Congress to certain acts of the States of Maryland and Georgia," and which by subsequent acts have been continued in force until the third day of March, one thousand eight hundred and sixty-one, be and the same, so far as it relates to the act of the State of Maryland, is hereby revived and continued in force until the third day of March, one thousand eight hundred and seventy-one: Provided, That the duty shall not be levied on any vessel more than once in any month.

Act of 1800, ch. 15. Vol. ii. p. 19.
revived in part
and extended to
March 3, 1871.

See acts 1808,
ch. 47; 1814, ch.
60; 1822, ch. 29;
1828, ch. 15; 1838,
ch. 34; 1843, ch.
45; 1850, ch. 17.

Proviso.

APPROVED, January 19, 1861.

CHAP. XIX. — *An Act to authorize the Institution of a Suit against the United States to test the Title to Lots Numbers Five and Six, in the Hospital Square in San Francisco.* January 26, 1861

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That J. G. Ames, S. W. Holla-

Suit may be brought against the United States to test the title of certain lots in Hospital Square, San Francisco.

How to be commenced.

United States to have all legal and equitable defences.

District attorney to defend such suit.

Either party may appeal.

Suit to be instituted within two years.

Proceedings if final judgment is against the United States.

day, and James Blair, and their heirs, assigns, and legal representatives be, and they are hereby, authorized to institute a suit against the United States, in the circuit court of the United States for the State of California, for the purpose of recovering from the United States, two lots of ground, numbers five and six, in the square in the city of San Francisco on which a hospital has been erected by the United States; which lots are claimed to have been acquired by the said Ames, Holladay, and Blair, by deeds executed in their favor by the sheriff of the county of San Francisco on the twenty-third day of October, eighteen hundred and fifty-one. The said suit to be commenced by citation served on the district attorney of the United States for the northern district of California: *Provided*, That the United States shall have the right in any suit so brought to defend their claim to the title and possession of said property, or any part thereof, on any legal or equitable grounds.

SEC. 2. *And be it further enacted*, That it shall be the duty of the said district attorney, under the direction and advice of the Attorney General of the United States, to defend any suit brought under the authority of the first section of this act, and to take all necessary measures at law or in equity for the protection and defence of the title to said lots.

SEC. 3. *And be it further enacted*, That either party may appeal or prosecute a writ of error to the Supreme Court of the United States from any final decision rendered by said circuit court in any suit instituted as aforesaid.

SEC. 4. *And be it further enacted*, That no suit shall be brought by virtue of the provisions of this act, unless the same be instituted within two years from the passage thereof.

SEC. 5. *And be it further enacted*, That in the event of a final judgment against the United States in any suit instituted as aforesaid, it shall be the duty of the proper officers of the United States, who may be in charge and possession of said lots in behalf of the government, to deliver up to the claimants said lots, or such parts thereof as may, by said final judgment, be decreed to belong to them; and the said circuit court is hereby authorized to issue the process necessary and proper for carrying out the provisions of this act.

APPROVED, January 26, 1861.

January 29, 1861.

CHAP. XX.—*An Act for the Admission of Kansas into the Union.*

Preamble.

Whereas the people of the Territory of Kansas, by their representatives in Convention assembled, at Wyandott, in said Territory, on the twenty-ninth day of July, one thousand eight hundred and fifty-nine, did form for themselves a constitution and State government, republican in form, which was ratified and adopted by the people at an election held for that purpose on Tuesday, the fourth day of October, one thousand eight hundred and fifty-nine, and the said Convention has, in their name and behalf, asked the Congress of the United States to admit the said Territory into the Union as a State, on an equal footing with the other States: Therefore

Kansas admitted as a State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Kansas shall be, and is hereby declared to be, one of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever. And the said State shall consist of all the territory included within the following boundaries, to wit: Beginning at a point on the western boundary of the State of Missouri, where the thirty-seventh parallel of north latitude crosses the same; thence west on said parallel to the twenty-fifth meridian of longitude west from Washington; thence north on said meridian to the fortieth parallel of latitude; thence

Boundaries.

east on said parallel to the western boundary of the State of Missouri; thence south with the western boundary of said State to the place of beginning: *Provided*, That nothing contained in the said constitution respecting the boundary of said State shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with such Indian tribe, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any State or Territory; but all such territory shall be excepted out of the boundaries, and constitute no part of the State of Kansas, until said tribe shall signify their assent to the President of the United States to be included within said State, or to affect the authority of the Government of the United States to make any regulation respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent to make if this act had never passed.

SEC. 2. *And be it further enacted*, That until the next general apportionment of Representatives the State of Kansas shall be entitled to one Representative in the House of Representatives of the United States.

SEC. 3. *And be it further enacted*, That nothing in this act shall be construed as an assent by Congress to all or to any of the propositions or claims contained in the ordinance of said constitution of the people of Kansas, or in the resolutions thereto attached; but the following propositions are hereby offered to the said people of Kansas for their free acceptance or rejection, which, if accepted, shall be obligatory on the United States and upon the said State of Kansas, to wit: First, That sections numbered sixteen and thirty-six in every township of public lands in said State, and where either of said sections or any part thereof has been sold or otherwise been disposed of, other lands, equivalent thereto and as contiguous as may be, shall be granted to said State for the use of schools. Second, That seventy-two sections of land shall be set apart and reserved for the use and support of a State University, to be selected by the Governor of said State, subject to the approval of the Commissioner of the General Land Office, and to be appropriated and applied in such manner as the Legislature of said State may prescribe for the purpose aforesaid, but for no other purpose. Third, That ten entire sections of land, to be selected by the Governor of said State, in legal subdivisions, shall be granted to said State for the purpose of completing the public buildings, or for the erection of others at the seat of government, under the direction of the Legislature thereof. Fourth, That all salt springs within said State, not exceeding twelve in number, with six sections of land adjoining or as contiguous as may be to each, shall be granted to said State for its use, the same to be selected by the Governor thereof within one year after the admission of said State, and when so selected to be used or disposed of on such terms, conditions, and regulations as the Legislature shall direct: *Provided*, That no salt spring or land, the right whereof is now vested in any individual or individuals, or which may be hereafter confirmed or adjudged to any individual or individuals, shall by this article be granted to said State. Fifth, That five per centum of the net proceeds of sales of all public lands lying within said State which shall be sold by Congress after the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to said State for the purpose of making public roads and internal improvements, or for other purposes, as the Legislature shall direct: *Provided*, That the foregoing propositions hereinbefore offered are on the condition that the people of Kansas shall provide by an ordinance, irrevocable without the consent of the United States, that said State shall never interfere with the primary disposal of the soil within the same by the United States, or with any regulations Congress may find necessary for securing the title in said soil to bona fide purchasers thereof. Sixth, And that the said State shall never tax the

Proviso.

Indian rights to be preserved.

One representative in Congress.

Congress does not assent, &c.

Propositions to be submitted to popular vote.

School lands.

State University lands.

Lands for public buildings.

Salt springs and contiguous lands.

Proviso.

Percentage on land sales.

Proviso. Conditions on which propositions are offered.

State not to tax property of the U. S. in said State.

Proviso as to lands heretofore confirmed to the Territory of Kansas.

Laws of the United States extended to Kansas.

State made a judicial district.

Judge, attorney, and marshal ; their pay.

Appeals and writs of error in Supreme Court of the United States.

Terms of District Court.

lands or the property of the United States in said State: *Provided, however,* That in case any of the lands herein granted to the State of Kansas have heretofore been confirmed to the Territory of Kansas for the purposes specified in this act, the amount so confirmed shall be deducted from the quantity specified in this act.

SEC. 4. *And be it further enacted,* That from and after the admission of the State of Kansas, as hereinbefore provided, all the laws of the United States, which are not locally inapplicable, shall have the same force and effect within that State as in other States of the Union ; and the said State is hereby constituted a judicial district of the United States, within which a district court, with the like powers and jurisdiction as the district court of the United States for the district of Minnesota, shall be established ; the judge, attorney, and marshal of the United States for the said district of Kansas shall reside within the same, and shall be entitled to the same compensation as the judge, attorney, and marshal of the district of Minnesota ; and in all cases of appeal or writ of error heretofore prosecuted, and now pending in the Supreme Court of the United States, upon any record from the supreme court of Kansas Territory, the mandate of execution or order of further proceedings shall be directed by the Supreme Court of the United States to the district court of the United States for the district of Kansas, or to the supreme court of the State of Kansas, as the nature of such appeal or writ of error may require ; and each of those courts shall be the successor of the supreme court of Kansas Territory, as to all such cases, with full power to hear and determine the same, and to award mesne or final process therein.

SEC. 5. *And be it further enacted,* That the judge of the district court for the district of Kansas shall hold two regular terms of the said court annually, at the seat of government of the said State, to commence on the second Mondays of April and October in each year.

APPROVED, January 29, 1861.

February 5, 1861.

CHAP. XXV. — *An Act to authorize the Extension and Use of a Branch of the Alexandria, Loudoun, and Hampshire Railroad within the City of Georgetown.*

Alexandria, Loudoun, and Hampshire Railroad may extend a branch road into Georgetown.

City authorities to regulate the running of the cars.

On what streets, &c., branch to be built.

Provision for land damages.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Alexandria, Loudoun, and Hampshire Railroad Company be, and they are hereby, authorized and empowered to extend a branch of their railroad into and within the city of Georgetown, in the District of Columbia, and that said company shall have and exercise the same rights and powers and be subject to the same regulations and restrictions, in regard to the construction and use of such extension, as are or may be granted and prescribed by the charter of said company in regard to the main stem of said road, or by the laws of Virginia in relation to railroads within that State.

SEC. 2. *And be it further enacted,* That the corporate authorities of the city of Georgetown shall have power to regulate the manner and speed of running the cars of said company within the limits of said city.

SEC. 3. *And be it further enacted,* That the said company shall have power to construct and operate their said extension upon such streets and public ways in said city as may be deemed most expedient by the said company, and with the consent of the corporate authorities of said city.

SEC. 4. *And be it further enacted,* That the Circuit Court of the District of Columbia, and the several officers thereof, shall have and exercise all the powers and duties in relation to the condemnation and acquisition of land or other property by the said company for the purposes of such extension of their branch as are or may be possessed and exercised by the courts of Virginia and their officers in regard to the same ; and the same proceedings shall be had therein as are or may be prescribed or authorized by the laws of Virginia in such cases.

APPROVED, February 5, 1861.

CHAP. XXIX. — An Act authorizing a Loan.

February 8, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be and hereby is authorized, at any time before the first day of July next, to borrow, on the credit of the United States, a sum not exceeding twenty-five millions of dollars, or so much thereof as, in his opinion, the exigencies of the public service may require to be used in the payment of the current demands upon the Treasury and for the redemption of treasury notes now outstanding, and to replace in the Treasury any amount of said notes which shall have been paid and received for public dues.

Loan of \$25,000,000 authorized before July 1, 1861.

Purpose of loan.

Stock, issue form, interest, transfer, &c., of.

SEC. 2. And be it further enacted, That stock shall be issued for the amount so borrowed, bearing interest not exceeding six per centum per annum, and to be reimbursed within a period not beyond twenty years and not less than ten years; and the Secretary of the Treasury be and is hereby authorized, with the consent of the President, to cause certificates of stock to be prepared, which shall be signed by the Register and sealed with the seal of the Treasury Department, for the amount so borrowed, in favor of the parties lending the same, or their assigns, which certificates may be transferred on the books of the Treasury, under such regulations as may be established by the Secretary of the Treasury: *Provided*, That no certificate shall be issued for a less sum than one thousand dollars: *And provided, also*, That, whenever required, the Secretary of the Treasury may cause coupons of semi-annual interest payable thereon to be attached to certificates issued under this act; and any certificate with such coupons of interest attached may be assigned and transferred by delivery of the same, instead of being transferred on the books of the Treasury.

No certificate to be for less than \$1000.

Interest coupons may be attached.

SEC. 3. And be it further enacted, That, before awarding said loan, the Secretary of the Treasury shall cause to be inserted in two of the public newspapers of the city of Washington, and in one or more public newspapers in other cities of the United States, public notice that sealed proposals for such a loan will be received until a certain day, to be specified in such notice, not less than ten days from its first insertion in a Washington newspaper; and such notice shall state the amount of the loan, at what periods the money shall be paid, if by instalments, and at what places. Such sealed proposals shall be opened, on the day appointed in the notice, in the presence of such persons as may choose to attend, and the proposals decided by the Secretary of the Treasury, who shall accept the most favorable offered by responsible bidders for said stock. And the said Secretary shall report to Congress, at the commencement of the next session, the amount of money borrowed under this act, and of whom and on what terms it shall have been obtained, with an abstract or brief statement of all the proposals submitted for the same, distinguishing between those accepted and those rejected, with a detailed statement of the expense of making such loans.

Proposals for loan to be advertised for.

When, where, and how to be opened.

Secretary of Treasury to report to Congress.

SEC. 4. And be it further enacted, That the faith of the United States is hereby pledged for the due payment of the interest and the redemption of the principal of said stock.

Faith of the United States pledged.

SEC. 5. And be it further enacted, That the residue of the loan authorized by the act of twenty-second of June, eighteen hundred and sixty, or so much thereof as is necessary, shall be applied to the redemption of the treasury notes issued under the act of seventeenth of December, eighteen hundred and sixty, and for no other purpose; and the Secretary of the Treasury is hereby authorized, at his discretion, to exchange at par bonds of the United States authorized by said act of twenty-second June, eighteen hundred and sixty, for the said treasury notes, and the accruing interest thereon.

Residue of loan under act of 1860, ch. 180, how to be applied. *Ante*, pp. 79, 121.

Bonds under act of 1860, ch. 180, may be exchanged at par for treasury notes.

SEC. 6. And be it further enacted, That, to defray the expense of engraving and printing certificates of such stock, and other expenses inci-

Appropriation for expenses under this act.

dent to the execution of this act, the sum of twenty thousand dollars is hereby appropriated: *Provided*, That no compensation shall be allowed for any service performed under this act to any officer whose salary is established by law.

Secretary of Treasury need not accept bids unless, &c.

SEC. 7. *And be it further enacted*, That the Secretary of the Treasury shall not be obliged to accept the most favorable bids as hereinbefore provided, unless he shall consider it advantageous to the United States to do so, but for any portion of such loan, not taken under the first advertisement, he may advertise again at his discretion.

APPROVED, February 8, 1861.

February 8, 1861. CHAP. XXX. — *An Act to provide for a Superintendent of Indian Affairs for Washington Territory and additional Agents.*

Washington Territory may be made a separate Indian superintendency.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be and he is hereby authorized to make a separate superintendency of Washington Territory, and to appoint, by and with the advice and consent of the Senate, or during the recess thereof, and until the end of its next session after such appointment, a superintendent of Indian affairs for said Territory, with an annual salary of twenty-five hundred dollars.

Superintendent and salary.

Three additional Indian agents authorized. — Salary.

SEC. 2. *And be it further enacted*, That the President be and he is hereby authorized to appoint, by and with the advice and consent of the Senate, or during the recess thereof, and until the end of its next session after such appointment, three additional Indian agents for said Territory, with an annual salary of fifteen hundred dollars each: *Provided*, That no agent or sub-agent, either special or temporary, or otherwise, shall be appointed, employed, or continued in employment in Washington Territory, except only the three agents and two sub-agents provided for by existing law, and the additional agents provided by this act.

Proviso.

Limits of superintendencies of Oregon and Washington may be adjusted.

SEC. 3. *And be it further enacted*, That the President, in adjusting the limits of the respective superintendencies of Oregon and Washington, may attach any tribe situated partly in both or either superintendency, in such manner as in his judgment may best promote the public service.

APPROVED, February 8, 1861.

February 13, 1861. CHAP. XXXIII. — *An Act to change the Name of the Schooner "Augusta" to "Colonel Cook."*

The schooner "Augusta" to be called "Colonel Cook."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be and is hereby authorized to change the name of the American-built schooner "Augusta," owned by George W. Bissell of Detroit, Michigan, to that of "Colonel Cook," and to grant her a register in that name.

APPROVED, February 13, 1861.

February 18, 1861. CHAP. XXXVII. — *An Act to extend the Right of Appeal from Decisions of Circuit Courts to the Supreme Court of the United States.*

In copyrights and patent cases, appeals or writs of error to lie from the judgments of circuit courts to the Supreme Court, without regard to the amount in controversy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from all judgments and decrees of any circuit court rendered in any action, suit, controversy, or case, at law or in equity, arising under any law of the United States granting or confirming to authors the exclusive right to their respective writings, or to inventors the exclusive right to their inventions or discoveries, a writ of error or appeal, as the case may require, shall lie, at the instance of either party, to the Supreme Court of the United States, in the same

manner and under the same circumstances as is now provided by law in other judgments and decrees of such circuit courts, without regard to the sum or value in controversy in the action.

APPROVED, February 18, 1861.

CHAP. XXXVIII. — *An Act making further Provision in Relation to Consolidated Land Offices.* February 18, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act the register for the consolidated land districts at Booneville, in the State of Missouri, in consequence of additional duties imposed upon him, and in addition to the fees now allowed by law, shall be entitled to charge and receive for making transcripts for individuals, or furnishing any other record information respecting public lands or land titles in his consolidated land district, such fees as are properly authorized by the tariff existing in the local courts in said district: *Provided,* The whole amount of the register's compensation, including all fees and commissions to which he is entitled under existing laws, shall not exceed three thousand dollars per annum, or pro rata per quarter, the excess, if any, over that amount, shall be paid into the Treasury of the United States; and the receiver shall receive his equal share of such fees, and it shall be his duty to aid the register in the preparation of the transcripts, or giving the record information as aforesaid.

The register at Booneville, Mo., to receive certain fees for services.

Proviso — not to exceed the rate of \$3000 per annum, and excess to be accounted.

Receiver entitled to one half.

SEC. 2. *And be it further enacted,* That the Secretary of the Interior be and he is hereby authorized to make a reasonable allowance for office rent for such consolidated office, and, when satisfied of the necessity therefor, to approve the employment by said register of one or more clerks, at a reasonable per diem compensation, for such time as said clerk or clerks are absolutely required to keep up the current public business, and who shall be paid out of the surplus fees above authorized to be charged, if any, and if no surplus exists, then out of the appropriation for incidental expenses of district land offices; but no clerk shall be so paid unless his employment has been first sanctioned by the Secretary of the Interior.

Allowance may be made for rent and clerk hire.

Employment of clerk to be first sanctioned.

SEC. 3. *And be it further enacted,* That the provisions of this act be and they are hereby extended to all other consolidated land offices: *Provided,* That this act shall be construed to extend to and provide for all expenses heretofore incurred by any register or receiver of any such consolidated land office for additional clerical aid or office room: *Provided further,* That the amount of such indemnity be first approved by the Secretary of the Interior.

This act to extend to all consolidated land offices.

Proviso.

SEC. 4. *And be it further enacted,* That it shall be the duty of the Secretary of the Interior to make a reasonable allowance to former registers of consolidated land offices for room rent and clerk hire, made necessary by such consolidation, to be paid out of the appropriation for incidental expenses of district land offices, upon satisfactory vouchers actually filed, or to be filed.

Former registers to be allowed for room-rent and clerk hire.

APPROVED, February 18, 1861.

CHAP. XLII. — *An Act to supply Deficiencies in the Appropriations for the Service of the fiscal Year ending June thirty, eighteen hundred and sixty-one.* February 19, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated to supply deficiencies in the appropriations for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-one, out of any money in the Treasury not otherwise appropriated.

Deficiency appropriations.

Contingent expenses of the House of Representatives.

Contingent Expenses of the House of Representatives. — To supply the deficiency in the appropriation for binding documents required for the first session of the Thirty-sixth Congress, fifty thousand dollars.

For miscellaneous items, twenty-one thousand dollars.

For folding documents, twenty-six thousand dollars.

For furniture and repairs, and boxes for members, five thousand dollars.

For stationery, six thousand dollars.

Capitol Extension.

To enable the Superintendent of the Capitol Extension to pay for labor and materials used to carry out the resolution of the House of Representatives of twenty-first February, eighteen hundred and sixty, two thousand five hundred dollars.

Printing and paper, for 36th Congress.

To supply deficiencies in the appropriations heretofore made for printing ordered by the Senate and House of Representatives at the first session of the Thirty-sixth Congress, and for paper for the same, one hundred and eighty-seven thousand eight hundred and sixteen dollars and thirty-eight cents.

To supply the deficiency in the appropriation for paper required for the printing of the second session of the Thirty-sixth Congress, fifty thousand dollars.

To supply the deficiency in the appropriation for the printing of the second session of the Thirty-sixth Congress, thirty thousand dollars.

Custom-house and P. O. at St. Louis.

For the completion of the custom-house and post-office at the city of Saint Louis, and fitting up and furnishing the same, the sum of fifteen thousand dollars.

Suppression of slave-trade. 1819, ch. 101. vol. iii. p. 532.

To supply deficiencies in the fund heretofore appropriated to enable the President of the United States to carry into effect the act of Congress of third March, eighteen hundred and nineteen, and any subsequent acts now in force for the suppression of the slave trade, nine hundred thousand dollars.

For the compensation and mileage of Senators, thirteen thousand dollars.

For the contingent expenses of the Senate, for miscellaneous items, three thousand dollars.

Senate and House.

For the contingent expenses of the Senate and House of Representatives, viz :

For additional police for the Capitol, payable by the Senate, one thousand and ninety-six dollars and ninety-seven cents; and for additional police for the Capitol, payable by the House of Representatives, one thousand and ninety-six dollars and ninety-seven cents.

Eighth census.

To supply deficiencies in the appropriation for taking the Eighth Census, four hundred and thirty-seven thousand dollars.

Expenses of select committees.

For expenses of select committee appointed under the resolution of House of Representatives of twenty-fourth December, eighteen hundred and sixty, five thousand dollars; and for expenses of select committee made by order of the House of Representatives of the ninth of January, eighteen hundred and sixty-one, three thousand dollars, making eight thousand dollars; and that the said sum shall be added to the miscellaneous item of the contingent fund of the House.

Fourth auditor's office.

For expenses of removing the office of the Fourth Auditor of the Treasury to the apartments assigned in Winder's building, and for cleansing, repairing, and furnishing the same, three thousand five hundred and eight dollars and fifty-five cents.

Public printing. Joint Res. 1860, No. 25.

To enable the Superintendent of the Public Printing to carry into effect the provisions of the joint resolution in relation to the public printing, approved June the twenty-third, eighteen hundred and sixty, one hundred and thirty-five thousand dollars: *Provided*, That no part of this appropriation shall be expended until the title to the property purchased shall have been examined and approved by the Attorney General of the United States.

For compensation of the clerks in the land office at Kickapoo, Kansas, ten thousand five hundred and thirty-three dollars, in accordance with section seven of "An act making appropriations for certain civil expenses of the Government," &c., approved August eighteenth, eighteen hundred and fifty-six: *Provided*, That no payment shall be made under the terms of this appropriation except upon vouchers of moneys actually paid by the several receivers and registers, such vouchers to be verified by the affidavits both of the registers and receivers and the parties to whom the payments have been made; nor unless the Secretary of the Interior be satisfied of the fairness of the prices allowed: *And provided further*, That the seventh section of the act of the eighteenth of August, eighteen hundred and fifty-six, "making appropriations for certain civil expenses of the Government for the year ending the thirtieth of June, eighteen hundred and fifty-seven," be and the same is hereby repealed.

Clerks in land office at Kickapoo, Kansas. 1856, ch. 129, § 7 Vol. xi. p. 91. *Proviso.*

Repeal of act 1856, ch. 129, § 7.

For carrying the mails from New York, via Panama, to San Francisco, three times a month, from the first of July, eighteen hundred and sixty, to the first of July, eighteen hundred and sixty-one, at the rate of three hundred and fifty thousand dollars per annum, from which sum shall be deducted the amount received for postages on said route.

Mails from New York to San Francisco via Panama.

APPROVED, February 19, 1861.

CHAP. XLIV. — *An Act making Appropriations for the Legislative, Executive, and Judicial Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-two.*

February 20, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-two, namely:

Legislative. — For compensation and mileage of Senators, three hundred and thirty-six thousand six hundred dollars.

Appropriation.

Pay, &c., of senators,

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate, viz: Secretary of the Senate, three thousand six hundred dollars; officer charged with disbursements of the Senate, four hundred and eighty dollars; chief clerk, two thousand five hundred dollars; principal clerk and principal executive clerk in the office of the Secretary of the Senate, at two thousand one hundred and sixty dollars each; eight clerks in [the] office of the Secretary of the Senate, at one thousand eight hundred and fifty dollars each; keeper of the stationery, one thousand seven hundred and fifty-two dollars; two messengers, at one thousand and eighty dollars each; one page, at five hundred dollars; Sergeant-at-Arms and Doorkeeper, two thousand dollars; assistant doorkeeper, one thousand seven hundred dollars; postmaster to the Senate, one thousand seven hundred and fifty dollars; assistant postmaster and mail carrier, one thousand four hundred and forty dollars; two mail boys, at nine hundred dollars each; superintendent of the document room, one thousand five hundred dollars; two assistants in document room, at one thousand two hundred dollars each; superintendent of the folding room, one thousand five hundred dollars; two messengers, acting as assistant doorkeepers, at one thousand five hundred dollars each; fourteen messengers, at one thousand two hundred dollars each; superintendent in charge of the Senate furnaces, one thousand two hundred dollars; assistant in charge of furnaces, six hundred dollars; laborer in private passage, six hundred dollars; two laborers, at four hundred and eighty dollars each; clerk or secretary to the President of the Senate, one thousand seven hundred and fifty-two dollars; clerk to the Committee on Finance, one thousand eight hundred and fifty dollars; clerk to the Committee on Claims, one thousand eight hundred and fifty dollars; clerk of printing

— of officers, &c., of Senate

records, one thousand eight hundred and fifty dollars; Chaplain to the Senate, seven hundred and fifty dollars; making seventy-five thousand four hundred and fourteen dollars.

Contingencies
of Senate.

For contingent expenses of the Senate, namely:

For lithographing and engraving, thirty thousand dollars.

For binding, fifty thousand dollars.

For stationery, twelve thousand dollars.

For newspapers, three thousand three hundred dollars.

For Congressional Globe, and binding the same, forty-nine thousand three hundred dollars.

For reporting proceedings in the Daily Globe for the first session of the Thirty-seventh Congress, eighteen thousand dollars.

For the usual additional compensation to the reporters of the Senate for the Congressional Globe, for reporting the proceedings of the Senate for the first session of the Thirty-seventh Congress, eight hundred dollars each, four thousand dollars.

For clerks to committees, pages, horses, and carryalls, twenty-eight thousand five hundred dollars.

For Capitol police, eight thousand two hundred dollars.

For expenses of heating and ventilating apparatus, twelve thousand dollars.

Miscellaneous.

For miscellaneous items, twenty thousand dollars.

Pay of repre-
sentatives and
delegates,

For compensation and mileage of members of the House of Representatives and delegates from Territories, one million one hundred thousand dollars.

— of officers
&c., of the House.

For compensation of the officers, clerks, messengers and others receiving an annual salary in the service of the House of Representatives, viz: Clerk of the House of Representatives, three thousand six hundred dollars; two clerks, at two thousand one hundred and sixty dollars each; eleven clerks at one thousand eight hundred dollars each; principal messenger in the office, one thousand seven hundred and fifty-two dollars; three messengers, at one thousand two hundred dollars each; messenger to the Speaker, one thousand seven hundred and fifty-two dollars; clerk to the Committee of Ways and Means, one thousand eight hundred dollars; clerk to the Committee on Claims, one thousand eight hundred dollars; Capitol police, eight thousand four hundred and twenty dollars; Sergeant-at-Arms, two thousand one hundred and sixty dollars; clerk to the Sergeant-at-Arms, one thousand eight hundred dollars; messenger to the Sergeant-at-Arms, one thousand two hundred dollars; Postmaster, two thousand one hundred and sixty dollars; one messenger in the office, one thousand seven hundred and forty dollars; four messengers, at one thousand four hundred and forty dollars each; two mail boys, at nine hundred dollars each; Doorkeeper, two thousand one hundred and sixty dollars; superintendent of the folding-room, one thousand eight hundred dollars; two messengers, at one thousand seven hundred and fifty-two dollars each; one messenger, at one thousand seven hundred and forty dollars; five messengers, at one thousand five hundred dollars each; six messengers, at one thousand two hundred dollars each; eleven messengers, to be employed during the session of Congress, at the rate of one thousand two hundred dollars each per annum; Chaplain to the House of Representatives, seven hundred and fifty dollars, making ninety-five thousand eight hundred and eighteen dollars.

Contingencies
of the House.

For contingent expenses of the House of Representatives, namely:

For binding documents, including the Congressional Globe, eighty-nine thousand dollars.

For cartage, two thousand dollars.

For twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the first session of the Thirty-seventh Congress, and one hundred of the same for the House Library, thirty-nine thousand six hundred and eighty-eight dollars.

For the compensation of the clerks to committees, and temporary clerks in the office of the Clerk of the House of Representatives, seventeen thousand eight hundred dollars.

For engraving, electrotyping, and lithographing, fifty thousand dollars.

For folding documents, including pay of folders, wrapping-paper, twine, and paste, thirty thousand dollars.

For fuel, oil, and candles, including pay of engineer, firemen, and laborers, repairs, and materials for engine-room, fifteen thousand dollars.

For furniture, repairs, and packing-boxes for members, ten thousand dollars.

For stationery, fifteen thousand dollars.

For horses, carriages, and saddle-horses, seven thousand five hundred dollars.

For laborers, seven thousand dollars.

For miscellaneous items, forty thousand dollars.

Miscellaneous.

For newspapers, twelve thousand five hundred dollars.

For pages and temporary mail-boys, nine thousand six hundred and eighty dollars.

For reporting proceedings in the Daily Globe for the first session of the Thirty-seventh Congress, at seven dollars and fifty cents per column, twenty-three thousand dollars.

For the usual additional compensation to the reporters of the House for the Congressional Globe, for reporting the proceedings of the House for the first session of the Thirty-seventh Congress, eight hundred dollars each, four thousand dollars.

Library of Congress. — For compensation of librarian, three assistant librarians, and messenger, nine thousand dollars.

Library of Congress.

For contingent expenses of said library, one thousand dollars.

For purchase of books for said library, five thousand dollars.

For purchase of law-books for said [library], two thousand dollars.

For compensation of the Superintendent of Public Printing, and the clerks and messenger in his office, nine thousand seven hundred and fourteen dollars.

Public printing, and paper.

For contingent expenses of his office, viz: For blank books, stationery, postage, advertising for proposals for paper, furniture, travelling expenses, cartage, and labor in storing and transportation of paper, and miscellaneous items, two thousand eight hundred and fifty dollars.

For paper required for the printing of the first session of the Thirty-seventh Congress, one hundred thousand dollars.

For printing required for the first session of the Thirty-seventh Congress, seventy thousand dollars. And hereafter the Superintendent of Public Printing shall submit to Congress at the commencement of each session detailed estimates of the sums required for the support of the Government Printing Office, and he shall also submit a report showing the payments made during the preceding year under his direction.

Superintendent to submit at each session estimate of expenses in detail.

Court of Claims. — For salaries of three judges of the Court of Claims, the solicitor, assistant solicitor, deputy solicitor, clerk and assistant clerk, and messenger thereof, twenty-seven thousand three hundred dollars.

Court of Claims.

For stationery, books, fuel, lights, pay of laborers, and other contingent and miscellaneous expenses for the Court of Claims, four thousand dollars.

Executive. — For compensation of the President of the United States, twenty-five thousand dollars.

Executive.

For compensation of the Vice President of the United States, eight thousand dollars.

For compensation to secretary to sign patents for lands, one thousand five hundred dollars.

For compensation to the private secretary, steward, and messenger of the President of the United States, four thousand six hundred dollars.

For contingent expenses of the executive office, including stationery therefor, three hundred and fifty dollars.

State Department.

Department of State.—For compensation of the Secretary of State, and Assistant Secretary of State, clerks, messenger, assistant messenger, and laborers in his office, fifty-seven thousand eight hundred dollars.

Contingencies.

For the incidental and contingent expenses of said department :

Laws.

For publishing the laws in pamphlet form, and in newspapers of the States and Territories, and in the city of Washington, twenty-five thousand one hundred and twenty-five dollars.

For proof reading and packing the laws and documents for the various legations and consulates, including boxes and transportation of the same, five thousand dollars.

For stationery, blank-books, binding, furniture, fixtures, repairs, painting, and glazing, ten thousand dollars.

For miscellaneous items, two thousand five hundred dollars.

For copper-plate printing, books, and maps, two thousand dollars.

For extra clerk hire and copying, two thousand dollars.

Howard's Reports.

To enable the Secretary of State to purchase fifty copies each of volumes twenty-eight and twenty-nine of Howard's Reports of the Decisions of the Supreme Court of the United States, five hundred dollars.

Northeast Executive Building.

Northeast Executive Building.—For compensation of four watchmen and two laborers of the Northeast Executive Building, three thousand six hundred dollars.

For contingent expenses of said building, namely: for fuel, light, repairs, and miscellaneous expenses, four thousand five hundred dollars.

Treasury Department.

Treasury Department.—For compensation of the Secretary of the Treasury, Assistant Secretary of the Treasury, clerks, messenger, assistant messenger, and laborers in his office, fifty-three thousand eight hundred dollars.

1st Comptroller's office.

For compensation of the First Comptroller, and the clerks, messenger, and laborers in his office, thirty-three thousand seven hundred and forty dollars.

2d Comptroller's office.

For compensation of the Second Comptroller, and the clerks, messenger, and laborer in his office, twenty-eight thousand two hundred and forty dollars.

1st Auditor's office.

For compensation of the First Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, forty-two thousand nine hundred and forty dollars.

2d Auditor's office.

For compensation of the Second Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, thirty-eight thousand one hundred and forty dollars.

3d Auditor's office.

For compensation of the Third Auditor, and the clerks, messengers, assistant messenger, and laborers in his office, ninety-three thousand four hundred and forty dollars.

4th Auditor's office.

For compensation of the Fourth Auditor, and the clerks, messenger, and assistant messenger in his office, thirty-one thousand nine hundred and forty dollars.

5th Auditor's office.

For compensation of the Fifth Auditor, and the clerks, messenger, and laborer in his office, seventeen thousand four hundred and sixty-nine dollars and seventy-six cents.

Office of Auditor for P. O. Department.

For compensation of the Auditor of the Treasury for the Post Office Department, and the clerks, messenger, assistant messenger, and laborers in his office, one hundred and eighty-one thousand five hundred and forty dollars.

Treasurer's office.

For compensation of the Treasurer of the United States, and the clerks, messenger, assistant messenger, and laborers in his office, twenty-eight thousand one hundred and fifty-one dollars and twenty-four cents.

Register's office.

For compensation of the Register of the Treasury, and the clerks, messenger, assistant messenger, and laborers in his office, fifty-three thousand three hundred and forty dollars.

For compensation of the Solicitor of the Treasury, and the clerks, and messenger in his office, eighteen thousand five hundred and forty dollars. Solicitor's office.

For compensation of the Commissioner of Customs, and the clerks, messenger, and laborer in his office, twenty thousand four hundred and forty dollars. Office of Commissioner of Customs.

For compensation of the clerks, messenger, and laborer of the Light-house Board, nine thousand two hundred and forty dollars. Office of Light-house Board.

Contingent Expenses of the Treasury Department. Contingencies.

In the Office of the Secretary of the Treasury : Secretary's office.

For copying, blank-books, stationery, binding, sealing ships' registers, translating foreign languages, advertising, and extra clerk hire for preparing and collecting information to be laid before Congress, and for miscellaneous items, twelve thousand dollars.

In the Office of the First Comptroller : 1st Comptroller's office.

For furniture, blank-books, binding, stationery, public documents, State and Territorial statutes, and miscellaneous items, one thousand eight hundred dollars.

In the Office of the Second Comptroller : 2d Comptroller's office.

For blank-books, binding, stationery, pay for two daily papers published in the city of Washington, to be filed and preserved for the use of the office, office furniture, and miscellaneous items, one thousand two hundred dollars.

In the Office of the First Auditor : 1st Auditor's office.

For blank-books, binding, stationery, office furniture, and miscellaneous items, including subscription for two daily papers published in the city of Washington, to be filed for the use of the office, one thousand five hundred dollars.

In the Office of the Second Auditor : 2d Auditor's office.

For blank-books, binding, stationery, office furniture, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office, one thousand two hundred dollars.

Office of the Third Auditor : 3d Auditor's office.

For blank-books, binding, office furniture, carpeting, two daily newspapers published in the city of Washington, files and papers bounty land service, and miscellaneous items, one thousand dollars.

In the Office of the Fourth Auditor : 4th Auditor's office.

For stationery, books, binding, labor, and miscellaneous items, one thousand dollars.

In the Office of the Fifth Auditor : 5th Auditor's office.

For blank-books, binding, stationery, office furniture, carpeting, and miscellaneous expenses, in which are included two daily newspapers, eight hundred dollars. Post, p. 279.

In the office of the Auditor of the Treasury for the Post Office Department : Office of Auditor for P. O. Department.

For blank-books, binding, and ruling, and furniture, ten thousand one hundred and fifty dollars.

In the Office of the Treasurer : Treasurer's office.

For blank-books, binding, stationery, and miscellaneous items, one thousand dollars.

In the Office of the Register : Register's office.

For ruling and full-binding books for recording collectors' quarterly abstracts of commerce and navigation, and blank abstracts for their use, blank-books, binding, and stationery, arranging and binding cancelled marine papers, cases for official papers and records, and miscellaneous items, including office furniture and carpeting, six thousand dollars.

Lighthouse Board : Lighthouse Board.

For blank books, binding, stationery, miscellaneous expenses, and postage, six hundred dollars.

For the general purposes of the Southeast Executive Building, includ-

ing the extension, and the building occupied by the Attorney General and the first Auditor :

Southeast
Executive Build-
ing.

For compensation of twelve watchmen and eleven laborers of the Southeast Executive Building, thirteen thousand eight hundred dollars.

For contingent expenses of said building, fuel, light, and miscellaneous items, ten thousand dollars.

Department of
the Interior.
Secretary's of-
fice.

Department of the Interior. — For compensation of the Secretary of the Interior, and the clerks, messenger, assistant messengers, watchmen, and laborers in his office, thirty-six thousand nine hundred dollars.

General Land
Office.

For compensation of the Commissioner of the General Land Office, and the recorder, draughtsman, assistant draughtsman, clerks, messengers, assistant messengers, packers, watchmen, and laborers in his office, one hundred and seventy-five thousand four hundred and forty dollars.

Additional
clerks.
1855, ch. 207.
Vol. x. p. 701.
Proviso.

For additional clerks in the General Land Office, under the act of third March, eighteen hundred and fifty-five, granting bounty land, and for laborers employed therein, fifty-eight thousand four hundred dollars : *Provided*, That the Secretary of the Interior, at his discretion, shall be and he is hereby authorized to use any portion of said appropriation for piece-work, or by the day, week, month, or year, at such rate or rates as he may deem just and fair.

Commissioner
of Indian affairs.

For compensation of the Commissioner of Indian Affairs, and the clerks, messenger, assistant messenger, watchmen, and laborer in his office, thirty-one thousand nine hundred and forty dollars.

Of pensions.

For compensation of the Commissioner of Pensions, and the clerks, messenger, [assistant] messengers, and laborers in his office, eighty-two thousand three hundred and forty dollars.

Contingent ex-
penses.
Secretary's of-
fice.

Contingent Expenses — Department of the Interior.

Office of the Secretary of the Interior :

For books, stationery, furniture, fuel, lights, and other contingencies, and for books and maps for the library, six thousand five hundred dollars.

For casual repairs of the Patent Office building, fifteen hundred dollars.

Vol. xi. p. 253.
1859, ch. 22.
Vol. xi. p. 379.

For expenses of packing and distributing Congressional journals and documents, in pursuance of the provisions contained in the joint resolution of Congress, approved twenty-eighth January, eighteen hundred and fifty-seven, and act fifth February, eighteen hundred and fifty-nine, three thousand dollars.

Office of Indian
affairs.

Office of Indian Affairs :

For blank-books, binding, stationery, fuel, lights, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office, five thousand dollars.

General Land
Office.

General Land Office :

For cash system and military patents, under laws prior to twenty-eighth September, eighteen hundred and fifty; patent and other records; tract-books and blank-books for this and the district land offices; binding plats and field notes, stationery, furniture, and repairs of same, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office; also, for contingent expenses, in addition, under swamp-land act of twenty-eighth September, eighteen hundred and fifty; military bounty acts of twenty-eighth September, eighteen hundred and fifty, and twenty-second March, eighteen hundred and fifty-two; and act thirty-first August, eighteen hundred and fifty-two, for the satisfaction of Virginia land warrants; and for contingent expenses under act third March, eighteen hundred and fifty-five, granting bounty land, and amendatory act of *fourth* [fourteenth] May, eighteen hundred and fifty-six, for patents, patent and other records, stationery, and miscellaneous items, on account of bounty land under said act, forty-two thousand dollars.

For fuel, lights, and incidental expenses attending the same, including pay of furnace-keepers, two thousand dollars.

1850, ch. 84.
1850, ch. 85.
1852, ch. 19.
1852, ch. 114.
1855, ch. 207.

1856, ch. 26

<p><i>Pension Office.</i> — For stationery, binding books, furniture, and repairing the same; miscellaneous items, including two daily city newspapers, to be filed, bound, and preserved for the use of the office, and for engraving and retouching plates for bounty land warrants, printing and binding the same, fifteen thousand dollars.</p>	<p>Pension office.</p>
<p>For compensation of the Commissioner of Public Buildings, and the clerk and messenger in his office, four thousand two hundred dollars.</p>	<p>Commissioner of public buildings.</p>
<p>For stationery, blank books, plans, drawings, and other contingent expenses of the office of the Commissioner of Public Buildings, two hundred and fifty dollars.</p>	
<p><i>Surveyors General and their Clerks.</i> — For compensation of the surveyor general of Florida, and the clerks in his office, five thousand five hundred dollars.</p>	<p>Surveyors General and their clerks.</p>
<p>For compensation of the surveyor general of Wisconsin and Iowa, and the clerks in his office, eight thousand three hundred dollars.</p>	<p>Wisconsin and Iowa.</p>
<p>For compensation of the surveyor general of Oregon, and the clerks in his office, seven thousand five hundred dollars.</p>	<p>Oregon.</p>
<p>For rent of surveyor general's office in Oregon, fuel, books, stationery, and other incidental expenses, two thousand dollars.</p>	
<p>For rent of surveyor general's office in California, fuel, books, stationery, and other incidental expenses, including pay of messenger, three thousand dollars.</p>	<p>California.</p>
<p>For office rent for the surveyor general of Washington Territory, fuel, books, stationery, and other incidental expenses, two thousand dollars.</p>	<p>Washington Territory.</p>
<p>For rent of the surveyor general's office in New Mexico, fuel, books, stationery, and other incidental expenses, two thousand dollars.</p>	<p>New Mexico.</p>
<p>For office rent of the surveyor general of Kansas and Nebraska, fuel, and incidental expenses, two thousand dollars.</p>	<p>Kansas and Nebraska.</p>
<p>For compensation of the surveyor general of California, and the clerks in his office, fifteen thousand five hundred dollars.</p>	<p>California.</p>
<p>For compensation of the surveyor general of Washington Territory, and the clerks in his office, seven thousand dollars.</p>	<p>Washington Territory.</p>
<p>For compensation of the surveyor general of New Mexico, and clerks in his office, seven thousand dollars.</p>	<p>New Mexico.</p>
<p>For compensation of translator in the office of the surveyor general of New Mexico, two thousand dollars.</p>	
<p>For compensation of the surveyor general of Kansas and Nebraska, and the clerks in his office, eight thousand three hundred dollars.</p>	<p>Kansas and Nebraska.</p>
<p>For compensation of the surveyor general of Utah, and the clerks in his office, two thousand six hundred and fifty-five dollars and fifteen cents.</p>	<p>Utah.</p>
<p>For compensation of the surveyor general of Minnesota, and the clerks in his office, eight thousand three hundred dollars.</p>	<p>Minnesota.</p>
<p>For compensation of clerks in the offices of the surveyors general, to be apportioned to them according to the exigencies of the public service, and to be employed in transcribing field notes of surveys, for the purpose of preserving them at the seat of government, twenty-five thousand dollars.</p>	<p>Clerks of surveyors-general.</p>
<p>For salary of the recorder of land titles in Missouri, five hundred dollars.</p>	<p>Recorder in Missouri.</p>
<p><i>War Department.</i> — For compensation of the Secretary of War, and the clerks, messenger, assistant messenger, and laborer in his office, twenty-two thousand dollars.</p>	<p>War Department. Secretary's office.</p>
<p>For compensation of the clerks and messenger in the office of the Adjutant General, thirteen thousand six hundred and forty dollars.</p>	<p>Office of adjutant-general;</p>
<p>For compensation of the clerks and messenger in the office of the Quartermaster General, sixteen thousand four hundred and forty dollars.</p>	<p>Of quartermaster-general;</p>
<p>For compensation of the clerks and messenger in the office of the Paymaster General, twelve thousand four hundred and forty dollars.</p>	<p>Of paymaster-general;</p>
<p>For compensation of the clerks, messenger, and laborer in the office of the Commissary General, ten thousand and forty dollars.</p>	<p>Of commissary-general;</p>
<p>For compensation of the clerks and messenger in the office of the Surgeon General, five thousand two hundred and forty dollars.</p>	<p>Of surgeon-general;</p>

Office of topographical engineers;

Of chief engineer;

Of colonel of ordnance.

Contingencies of War Department.

For compensation of the clerks, messenger, and laborer in the office of Topographical Engineers, ten thousand six hundred and forty dollars.

For compensation of the clerks and messenger in the office of the Chief Engineer, eight thousand two hundred and forty dollars.

For compensation of the clerks and messenger in the office of the Colonel of Ordnance, twelve thousand two hundred and forty dollars.

Contingent Expenses of the War Department. —

Office of the Secretary of War :

For blank books, stationery, books, maps, extra clerk hire, and miscellaneous items, six thousand dollars.

Office of the Adjutant General :

For blank books, binding, stationery, and miscellaneous items, including office of judge advocate, two thousand two hundred dollars.

Office of the Quartermaster General :

For blank books, binding, stationery, miscellaneous items, and new furniture and bookcases, two thousand one hundred dollars.

Office of the Paymaster General :

For blank books, binding, stationery, and miscellaneous items, five hundred dollars.

Office of the Commissary General :

For blank books, binding, stationery, and miscellaneous items, one thousand two hundred dollars.

Office of the Chief Engineer :

For blank books, binding, stationery, and miscellaneous items, including two daily Washington papers, nine hundred dollars.

Office of the Surgeon General :

For blank books, binding, stationery, and miscellaneous items, five hundred dollars.

Office of Colonel of Ordnance :

For blank books, binding, stationery, and miscellaneous items, five hundred dollars.

Office of the Colonel of Topographical Engineers :

For blank books, binding, stationery, and miscellaneous items, one thousand two hundred dollars.

For the general purposes of the Northwest Executive building :

North-West Executive Building.

For compensation of superintendent, four watchmen, and two laborers of the Northwest Executive building, three thousand eight hundred and fifty dollars.

For fuel, light, and miscellaneous items, four thousand dollars.

Building corner of F and Seventeenth Streets.

For the general purposes of the building corner of F and

Seventeenth streets :

For compensation of superintendent, four watchmen, and two laborers for said building, three thousand eight hundred and fifty dollars.

For fuel, compensation of fireman, and miscellaneous items, four thousand eight hundred dollars.

Navy Department.

Navy Department. — For compensation of the Secretary of the Navy, and the clerks, messenger, assistant messenger, and laborer in his office, twenty-nine thousand six hundred dollars.

Bureau of Yards and Docks ;

For compensation of the chief of the Bureau of Navy Yards and Docks, and the clerks, messenger, and laborers in his office, fourteen thousand one hundred and forty dollars.

Of ordnance and hydrography ;

For compensation of the chief of the Bureau of Ordnance and Hydrography, and the clerks, messenger, and laborer in his office, twelve thousand three hundred and forty dollars.

Of construction, &c. ;

For compensation of the chief of the Bureau of Construction, Equipment, and Repairs, and of the Engineer-in-Chief, and the clerks, messenger, and laborers in his office, twenty-one thousand three hundred and forty dollars.

Of provisions and clothing ;

For compensation of the clerks, messenger, and laborer in the Bureau of Provisions and Clothing, eight thousand eight hundred and forty dollars.

For compensation of the Chief of the Bureau of Medicine and Surgery, and the clerks, messenger, and laborer in his office, nine thousand five hundred and forty dollars. Bureau of Medicine and Surgery.

Contingent Expenses of the Navy Department.—

Office Secretary of the Navy :

For blank-books, binding, stationery, newspapers, periodicals, and miscellaneous items, two thousand eight hundred and forty dollars. Contingent expenses of Navy Department.

Bureau of Yards and Docks :

For stationery, books, plans, and drawings, eight hundred dollars.

Bureau of Ordnance and Hydrography :

For blank-books, stationery, and miscellaneous items, seven hundred and fifty dollars.

Bureau of Construction, Equipment, and Repairs :

For blank-books, binding, stationery, printing, and miscellaneous items, eight hundred dollars.

Bureau of Provisions and Clothing :

For blank-books, stationery, and miscellaneous items, seven hundred dollars.

Bureau of Medicine and Surgery :

For blank-books, stationery, and miscellaneous items, four hundred and fifty dollars.

For the general purposes of the Southwest Executive Building :

For compensation of four watchmen of the Southwest Executive building, two thousand four hundred dollars. Southwest Executive Building.

For contingent expenses of said building, viz :

For labor, fuel, lights, and miscellaneous items, three thousand nine hundred and thirteen dollars.

Post Office Department.—For compensation of the Postmaster General, three Assistant Postmasters General, and the clerks, messenger, assistant messengers, watchmen, and laborers of said Department, one hundred and fifty-seven thousand eight hundred dollars. Post-Office Department.

Contingent Expenses of said Department.—For blank books, binding, and stationery, fuel for the General Post Office building, including the Auditor's Office, oil, gas, and candles, printing, for repairs of the General Post Office building, office furniture, glazing, painting, whitewashing, and for keeping the fireplaces and furnaces in order, for engineer, (for steam engine,) laborers, watchmen, repairs of furniture, and for miscellaneous items, thirty-three thousand dollars. Contingencies of Post-Office Department.

Printing for Executive Departments.—For paper and printing of the Executive Departments, including the paper, printing, and binding the Biennial Register, and the annual statement of Commerce and Navigation, and the paper and printing of the annual estimates of appropriations, fifty-five thousand dollars: *Provided*, That the preparation of the said Register shall be made under the direction of the Secretary of the Interior. Paper and printing for Executive Departments. Biennial Register. Commerce and navigation.

Mint of the United States at Philadelphia.—For salaries of the director, treasurer, assayer, melter and refiner, chief coiner and engraver, assistant assayer, assistant melter and refiner, and seven clerks, twenty-seven thousand nine hundred dollars. Mint, at Philadelphia.

For wages of workmen and adjusters, fifty thousand dollars.

For incidental and contingent expenses, including wastage, fifteen thousand dollars.

For specimens of ores and coins to be reserved at the mint, three hundred dollars.

For transportation of bullion from New York assay office to the United States Mint for coinage, five thousand dollars.

At San Francisco, California.—For salaries of superintendent, treasurer, assayer, melter and refiner, coiner, and six clerks, thirty thousand five hundred dollars. San Francisco.

For wages of workmen and adjusters, in addition to estimated deductions from depositors, one hundred and three thousand nine hundred and twenty-eight dollars.

For incidental and contingent expenses, including wastage, forty thousand four hundred and thirty-three dollars.

New Orleans. *At New Orleans.*—For salaries of superintendent, treasurer, assayer, coiner, melter and refiner, and three clerks, eighteen thousand three hundred dollars.

For wages of workmen, twenty-five thousand dollars.

For incidental and contingent expenses, including wastage, twenty thousand dollars.

**Assay Office,
New York.**

Assay Office, New York.—For salaries of officers and clerks, twenty-four thousand nine hundred dollars.

For wages of workmen, thirty-six thousand dollars.

Charlotte.

At Charlotte, North Carolina.—For salaries of superintendent, coiner, assayer, and clerk, six thousand dollars.

For wages of workmen, three thousand five hundred dollars.

**Governments
in the Territories.
New Mexico.**

GOVERNMENTS IN THE TERRITORIES.

Territory of New Mexico.—For salaries of governor, three judges, and secretary, nine thousand dollars.

For contingent expenses of said Territory, one thousand dollars.

For interpreter and translator in the executive office, five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, ten thousand dollars.

Utah.

Territory of Utah.—For salaries of governor, three judges, and secretary, twelve thousand dollars.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Washington.

Territory of Washington.—For salaries of governor, three judges, and secretary, twelve thousand five hundred dollars.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, including the sum of three hundred and seventy-five dollars due for codifying the laws, twenty thousand dollars.

Nebraska.

Territory of Nebraska.—For salaries of governor, three judges, and secretary, ten thousand five hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Kansas.

Territory of Kansas.—For salaries of governor, three judges, and secretary, ten thousand five hundred dollars.

For contingent expenses of said Territory, one thousand five hundred dollars.

For contingent expenses, to reimburse Wilson Shannon, while acting Governor of the Territory of Kansas, one hundred and fifty-six dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Judiciary, Supreme Court, &c.

Judiciary.—For salaries of the Chief Justice of the Supreme Court and eight associate justices, fifty-four thousand five hundred dollars.

For salaries of the district judges, one hundred and fifteen thousand one hundred and eighty-four dollars and six cents.

For salary of the circuit judge of California, six thousand dollars.

For salaries of the chief justice of the District of Columbia, the associate judges, and the judges of the criminal court and the orphans' court, fifteen thousand seven hundred and fifty dollars.

Office of the Attorney-General.—For salaries of the Attorney-General, Assistant Attorney-General, and the clerks and messenger in his office, Office of Attorney-General.
seventeen thousand five hundred dollars.

For contingent expenses of the office of the Attorney-General, one thousand seven hundred dollars.

For purchase of law-books, and necessary books for the office of the Attorney-General, five hundred dollars.

For furniture for the office of the Attorney-General, three hundred dollars.

For legal assistance and other necessary expenditures in the disposal of private land claims in California, ten thousand dollars.

Expenses of California land claims.

For special and other extraordinary expenses of California land claims, twenty thousand dollars.

For salary of the reporter of the decisions of the Supreme Court, one thousand three hundred dollars.

Reporter.

For compensation of the district attorneys, eleven thousand eight hundred and fifty dollars.

District attorneys and marshals.

For compensation of the marshals, ten thousand four hundred dollars.

For defraying the expenses of the Supreme, circuit, and district court[s] of the United States, including the District of Columbia; also, for jurors and witnesses, in aid of the funds arising from fines, penalties and forfeitures incurred in the fiscal year ending June thirty, eighteen hundred and sixty-two, and previous years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, one million dollars.

Court expenses and prosecution of crime.

Annuities and Grants.—To Elizabeth C. Perry, per act second March, eighteen hundred and twenty-one, four hundred dollars.

Elizabeth C. Perry.

Independent Treasury.—For salaries of the assistant treasurers of the United States at New York, Boston, Charleston, and Saint Louis, sixteen thousand five hundred dollars.

1821, ch. 31.
Vol. iii. p. 622.
Independent Treasury.

For additional salaries of the treasurer of the Mint at Philadelphia, of one thousand dollars, and of the treasurer of the branch mint at New Orleans, of five hundred dollars, one thousand five hundred dollars.

For salaries of the five additional clerks authorized by the acts of sixth August, eighteen hundred and forty-six, and paid under acts of twelfth August, eighteen hundred and forty-eight, third March, eighteen hundred and fifty-one, and third March, eighteen hundred and fifty-five, five thousand seven hundred dollars.

1846, ch. 90.
1848, ch. 166.
1851, ch. 32.
1855, ch. 175.
Vol. x. p. 656.

For salary of additional clerk in office of assistant treasurer at Boston, one thousand two hundred dollars.

For salaries of clerks, messengers, and watchmen in the office of the assistant treasurer at New York, thirteen thousand nine hundred dollars.

For salaries of nine supervising and fifty local inspectors, appointed under act thirtieth August, eighteen hundred and fifty-two, for the better protection of the lives of passengers by steamboats, with travelling and other expenses incurred by them, eighty thousand dollars.

Steamboat inspectors.
1852, ch. 106.
Vol. x. p. 61.

For compensation to the laborer in charge of the water-closets in the Capitol, four hundred and thirty-eight dollars.

Laborers, watchmen, &c.

For compensation to the public gardener, one thousand four hundred and forty dollars.

For compensation of twenty-four laborers employed in the public grounds and President's garden, thirteen thousand two hundred dollars.

For compensation of the keeper of the western gate, Capitol square, eight hundred and seventy-six dollars.

For compensation of two day watchmen employed in the Capitol square, one thousand two hundred dollars.

For compensation of two night watchmen employed at the President's House, one thousand two hundred dollars.

For compensation of the doorkeeper at the President's House, six hundred dollars.

For compensation of one night watchman employed for the better protection of the buildings lying south of the Capitol and used as public stables and carpenters' shops, six hundred dollars.

For compensation of watchman employed on reservation number two, six hundred dollars.

For compensation of the assistant doorkeeper at the President's House, six hundred dollars.

For compensation of four draw-keepers at the Potomac bridge, and for fuel, oil, and lamps, three thousand two hundred and sixty-six dollars.

For compensation of two draw-keepers at the two bridges across the Eastern branch of the Potomac, and for fuel, oil, and lamps, one thousand one hundred and eighty dollars.

For compensation of the Auxiliary Guard and one lieutenant, and for fuel, oil, and lamps, and for twenty policemen, thirty-two thousand four hundred dollars.

For furnace-keeper at the President's House, six hundred dollars.

For refurnishing the President's House, to be expended under the direction of the President, in addition to the proceeds of the sale of such of the furniture and equipage as may be decayed and unfit for use, twenty thousand dollars.

For introducing the Potomac water into the President's House, four thousand four hundred and twenty dollars.

Expenses of the Collection of the Revenue from Lands.

To meet the expenses of collecting the revenue from the sale of public lands in the several States and Territories :

For salaries and commissions of registers of land officers, and receivers of public moneys, two hundred and thirty-four thousand seven hundred dollars.

For expenses of depositing public moneys by receivers of public moneys, twenty-eight thousand six hundred dollars.

For incidental expenses of the several land offices, twenty-five thousand dollars.

Penitentiary. — For compensation of the warden, clerk, physician, chaplain, assistant keepers, guards, and matron of the penitentiary of the District of Columbia, thirteen thousand six hundred and forty dollars.

For compensation of three inspectors of said penitentiary, seven hundred and fifty dollars.

For the support and maintenance of said penitentiary, eight thousand four hundred and seventy-six dollars and twenty-five cents.

Arrears of exploring expedition.

1842, ch. 204.
Vol. v. p. 534.

Provisions of act of 1853, ch. 97, § 5, vol. x. p. 212, extended.

SEC. 2. *And be it further enacted*, That there is hereby further appropriated, in like manner, to pay arrears due authors and artists of the exploring expedition, in pursuance of the act of August twenty-sixth, eighteen hundred and forty-two, eleven thousand and thirty-six dollars and twenty-six cents.

SEC. 3. *And be it further enacted*, That the provisions of the fifth section of chapter ninety-seven of the act of Congress approved March third, eighteen hundred and fifty-three, requiring the Secretary of the Treasury to limit the amount of refining at the mint, whenever private establishments shall be capable of refining bullion, shall be extended to the several branches of the mint and to the United States assay office at New York, in all cases where deposits of bullion are made for coins or fine bars.

APPROVED, February 20, 1861.

CHAP. XLV. — *An Act to carry into Effect Conventions between the United States and the Republics of New Granada and Costa Rica.* February 20, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, by and with the advice and consent of the Senate, shall appoint a commissioner whose duty it shall be, conjointly with a commissioner appointed by the Government of New Granada, to investigate, adjust, and determine the amount of the claims of citizens of the United States against the Government of New Granada, pursuant to the terms of a convention signed at Washington on the tenth of September, eighteen hundred and fifty-seven. Post, p. 615.

SEC. 2. *And be it further enacted,* That the President of the United States, by and with the advice and consent of the Senate, shall appoint a secretary to said commissioner in behalf of the United States, versed in the English and Spanish languages, and the said board is hereby authorized to appoint a clerk. Commission to determine the amount of claims of citizens of the United States against New Granada.
Post, p. 985.

SEC. 3. *And be it further enacted,* That the compensation of the respective officers, for whose appointment provision is made by this act, shall be as follows: to the commissioner, in full for his services, two thousand five hundred dollars; to the secretary and interpreter, in full for his services, the sum of two thousand dollars; and the President of the United States shall be and he is hereby authorized to make such provision for the contingent expenses of the said commission on the part of the United States as shall to him appear reasonable and proper. Secretary to commissioner.

SEC. 4. *And be it further enacted,* That the said commissioner on the part of the United States, in conjunction with the commissioner on the part of New Granada, shall be and he is hereby authorized to make all needful rules and regulations for conducting the business of their said commission; such rules and regulations not contravening the Constitution of the United States, the provisions of this act, or the provisions of the said convention. Pay of commissioner, secretary, and interpreter.

SEC. 5. *And be it further enacted,* That the Secretary of State is hereby authorized and required to transmit to the said commissioner such papers or records relating to the said commission as he may deem proper, or as may be called for by the said commissioners, and at the termination of the commission, all the records, documents, and all other papers which have been brought before the Commissioners, or which may be in possession of their secretary, shall be deposited in the Department of State: *Provided,* That this section shall not be so construed as to prevent the commissioner on the part of New Granada from depositing in the said Department certified copies or duplicates of papers filed on behalf of his Government instead of originals. Regulations for the commission.

SEC. 6. *And be it further enacted,* That upon suggestion by any claimant that a witness whose testimony may be deemed important to him refuses or is unwilling to testify in regard to his claim, it shall be competent for said Board of Commissioners to issue a commission to some suitable person to take the testimony of such witness, and such witness may be compelled to appear and testify before such commissioners in the same manner as is now provided by law in the case of commissions issued from the courts of the United States. Secretary of State to transmit proper papers to commissioner.

SEC. 7. *And be it further enacted,* That all acknowledgment of indebtedness on the part of the Government of New Granada to claimants, citizens of the United States, being established by the award of the Board of Commissioners, shall be delivered to the Government of the United States, and made payable thereto; and the United States shall thereupon assume and pay to such claimants, at the Treasury, upon the certificate of the Board of Commissioners, whatsoever sums of money shall have been severally awarded them, the Government of the United States becoming thereby the creditor of the Government of New Granada, for the Testimony of unwilling witnesses, how taken.
Post, p. 615.

aggregate of all sums so assumed and paid, and entitled to receive to that extent the payment stipulated and guaranteed under the third article of the Convention referred to in the first section of this act.

Appropriation
for expenses.

SEC. 8. *And be it further enacted*, That for the compensation of the officers authorized by the third section, and the contingent expenses of the Commissioner on the part of the United States, and for the compensation and expenses of the umpire under the said Convention, which is required to be defrayed by the United States, and likewise to pay the awards which may be made, according to the provisions of the seventh section of this act, such sums as may be necessary be and they hereby are appropriated, out of any money in the Treasury not otherwise appropriated.

Commissioner
to determine the
amount of claims
of citizens of the
United States
against Costa
Rica.

Post, p. 1135.

SEC. 9. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, shall appoint a commissioner, whose duty it shall be, conjointly with a commissioner appointed by the Government of Costa Rica, to investigate, adjust, and determine the amount of the claims of citizens of the United States against the Government of Costa Rica, pursuant to the terms of a convention signed at San Jose, on the second day of July, eighteen hundred and sixty.

Pay of commis-
sioner, &c.

SEC. 10. *And be it further enacted*, That the compensation of the commissioner, for whose appointment provision is made by this act, shall be, in full for his services, two thousand five hundred dollars; and the President of the United States shall be and he is hereby authorized to make such provision for the contingent expenses of the said commission on the part of the United States as shall to him appear reasonable and proper.

Regulations for
commissioner.

SEC. 11. *And be it further enacted*, That the said commissioner on the part of the United States, in conjunction with the commissioner on the part of Costa Rica, shall be and he is hereby authorized to make all needful rules and regulations for conducting the business of their said commission; such rules and regulations not contravening the Constitution of the United States, the provisions of this act, or the provisions of the said convention.

Secretary of
State to transmit
proper papers to
commissioner.

SEC. 12. *And be it further enacted*, That the Secretary of State is hereby authorized and required to transmit to the said commissioner such papers or records relating to the said commission as he may deem proper, or as may be called for by the said commissioners, and at the termination of the commission, all the records, documents, and all other papers which have been brought before the commissioners, or which may be in possession of their secretary, shall be deposited in the Department of State: *Provided*, That this section shall not be so construed as to prevent the commissioner on the part of Costa Rica from depositing in the said Department certified copies or duplicates of papers filed on behalf of his Government, instead of originals.

Proviso.

Testimony of
unwilling wit-
nesses, how
taken.

Post, p. 615.

SEC. 13. *And be it further enacted*, That upon suggestion by any claimant that a witness whose testimony may be deemed important to him refuses or is unwilling to testify in regard to his claim, it shall be competent for said board of commissioners to issue a commission to some suitable person to take the testimony of such witness, and such witness may be compelled to appear and testify before such commissioners in the same manner as is now provided by law in the case of commissions issued from the courts of the United States.

Appropriation
for expenses.

SEC. 14. *And be it further enacted*, That for the compensation of the commission authorized by the tenth section, and the contingent expenses of the commission on the part of the United States, and for the compensation and expenses of the umpire under the said convention, which are required to be defrayed by the United States, such sums as may be necessary be and they hereby are appropriated out of any money in the Treasury not otherwise appropriated.

APPROVED, February 20, 1861.

CHAP. XLIX. — *An Act making Appropriations for the Naval Service for the Year ending the thirtieth of June, eighteen hundred and sixty-two.* February 21, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be and they are hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the year ending the thirtieth of June, eighteen hundred and sixty-two. Appropriation

For pay of commission, warrant, and petty officers and seamen, including the engineer corps of the navy, four million four hundred and thirty-eight thousand five hundred and seventy-seven dollars. Pay.

For provisions for commission, warrant, and petty officers and seamen, including engineers and marines attached to vessels for sea service, one million forty-two thousand eight hundred and fifty dollars. Provisions.

For surgeons' necessaries and appliances for the sick and hurt of the navy, including the engineer and marine corps, thirty-five thousand five hundred and fifty dollars. Sick, &c.

For the repair and equipment of vessels of the navy, two million five hundred and eighty thousand dollars: *Provided*, That not more than three thousand dollars shall hereafter be expended at any navy yard in repairing the hull and spars of any vessel until the necessity and expediency of such repair, and the probable cost thereof, be ascertained and reported to the Navy Department by an examining board, to be composed of one captain or commanded in the navy, to be appointed by the Secretary of the Navy, the naval constructor of the yard where any vessel may be ordered for repairs, and two master-workmen of such yard, or one master-workman and an engineer of the navy, according to the nature of the repairs to be made; said master-workman or engineer to be designated by the head of the Bureau of Construction and Repairs; and not more than one thousand dollars shall be expended in repairs on the sails and rigging of any vessel until the expediency and necessity of such repairs and the estimated cost thereof have been ascertained and reported to the Navy Department by an examining board, to be composed of one naval officer, appointed by the Secretary of the Navy, and the master rigger and the master sailmaker of the yard where such vessel may be ordered. Repair and equipment. Proviso as to repairs costing over \$3,000, of a vessel at a navy yard.

For the repair and equipment of vessels of the navy, two million five hundred and eighty thousand dollars: *Provided*, That not more than three thousand dollars shall hereafter be expended at any navy yard in repairing the hull and spars of any vessel until the necessity and expediency of such repair, and the probable cost thereof, be ascertained and reported to the Navy Department by an examining board, to be composed of one captain or commanded in the navy, to be appointed by the Secretary of the Navy, the naval constructor of the yard where any vessel may be ordered for repairs, and two master-workmen of such yard, or one master-workman and an engineer of the navy, according to the nature of the repairs to be made; said master-workman or engineer to be designated by the head of the Bureau of Construction and Repairs; and not more than one thousand dollars shall be expended in repairs on the sails and rigging of any vessel until the expediency and necessity of such repairs and the estimated cost thereof have been ascertained and reported to the Navy Department by an examining board, to be composed of one naval officer, appointed by the Secretary of the Navy, and the master rigger and the master sailmaker of the yard where such vessel may be ordered. Costing over \$1,000.

For fuel for the navy, to be purchased in the mode prescribed by law for other materials, and for the transportation thereof, five hundred and forty thousand dollars. Fuel.

For the purchase of hemp and other materials for the navy, three hundred thousand dollars. Hemp.

For ordnance and ordnance stores, including incidental expenses, three hundred and twenty-seven thousand five hundred dollars. Ordnance, &c.

For contingent expenses that may accrue for the following purposes, viz: freight and transportation, printing and stationery, advertising in newspapers, books, maps, models, and drawings, purchase and repair of fire-engines and machinery, repairs of and attending to steam engines in navy yards, purchase and maintenance of horses and oxen, and driving teams, carts, timber wheels, and the purchase and repairs of workmen's tools, postage of public letters, fuel, oil, and candles for navy yards and shore stations, pay of watchmen and incidental labor not chargeable to any other appropriation, transportation to and labor attending the delivery of provisions and stores on foreign stations, wharfage, dockage, and rent, travelling expenses of officers and others under orders, funeral expenses, store and office rent, fuel, commissions and pay of clerks to navy agents and storekeepers, flags, awnings, and packing boxes, premiums and other expenses of recruiting, apprehending deserters, per diem pay to persons attending courts martial, courts of inquiry, and other services authorized by law, pay to judge advocates, pilotage and towage of vessels, and assistance to vessels in distress, and for bills of health and quarantine expenses Contingent expenses.

of vessels of the United States navy in foreign ports, eight hundred and ninety-nine thousand dollars: *Provided*, That the expenditures under the foregoing appropriations shall be so accounted for as to show the disbursements by each bureau under each respective appropriation.

Each bureau to show its disbursements.

Davidson's boat-lowering apparatus.

For the purchase of the right to use in the navy, if in the opinion of the Secretary of the Navy it shall be deemed expedient, Davidson's boat lowering, attaching, and detaching apparatus, a sum not exceeding ten thousand dollars.

Brooke's deep-sea sounding apparatus.

For the purchase of the right to use by the United States, Brooke's deep-sea sounding apparatus, five thousand dollars.

Survey of Isthmus of Chiriqui.

For the balance of the expenses of the survey of the Isthmus of Chiriqui, one thousand six hundred and thirty-seven dollars and eighty-one cents.

Sargeant's steam-engine governor.

For the purchase of the right to use in the United States navy, on steamships and propellers, in navy yards, or otherwise, whenever the Government of the United States may choose to use the same, Sargeant's steam-engine governors, ten thousand dollars: *Provided*, The Secretary of the Navy shall consider it expedient.

Proviso.

Marine corps.

Marine Corps. — For pay of officers, non-commissioned officers, musicians, privates, clerks, messengers, stewards, and servants, for rations and clothing for servants, additional rations for five years' service, for undrawn clothing and rations, bounties for reenlistments, four hundred and twenty-five thousand two hundred and seventy-eight dollars and eighty cents.

For provisions, seventy-one thousand seven hundred and fifty-nine dollars.

For clothing, eighty-one thousand six hundred and ninety dollars.

For fuel, twenty-two thousand three hundred and forty-two dollars and twenty-five cents.

For military stores, viz: pay of armorers, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, fifes, and other instruments, twelve thousand dollars.

For transportation of officers and troops, and expenses of recruiting, fourteen thousand dollars.

For repairs of barracks, and rent of offices where there are no public buildings for that purpose, eight thousand dollars.

For contingencies, viz: freight, ferriage, toll, carriage, wharfage, purchase and repair of boats, compensation to judge advocates, per diem for attending courts-martial, courts of inquiry, and for constant labor, house rent in lieu of quarters, burial of deceased marines, printing, stationery, postage, telegraphing, apprehension of deserters, oil, candles, gas, repair of gas and water fixtures, water rent, forage, straw, barrack furniture, furniture for officers' quarters, bed sacks, spades, shovels, axes, picks, carpenters' tools, keep of a horse for the messenger, pay of maitron, washerwoman, and porter at the hospital headquarters, repairs to fire-engine, purchase and repair of engine hose, purchase of lumber for benches, mess tables, bunks, repairs to public carryall, purchase and repair of harness, galleys and cooking stoves for mess rooms, stoves where there are no grates, gravel for parade grounds, repairs of pumps, furniture for staff and commanding officers' offices, brushes, brooms, buckets, paving, and for other purposes, thirty-two thousand five hundred dollars.

Navy yards.

Navy Yards.

Portsmouth, N.H.

Portsmouth, New Hampshire. — For repairs of all kinds, twenty thousand dollars.

Boston.

Boston. — For machinery for machine shop, twenty thousand dollars.

For repairs of marine barracks at Charlestown, Massachusetts, nineteen thousand four hundred and fifty-six dollars.

For repairs of all kinds, forty thousand dollars.

New York.

New York. — For boilers for new boiler-house, sixteen thousand two hundred and twenty-five dollars.

For boilers for machine shop, twelve thousand five hundred dollars.
 For machinery for smithery and saw-mill, eight thousand five hundred dollars.

For repairs of all kinds, thirty thousand dollars.

Philadelphia. — For repairs of all kinds, twelve thousand and forty-three dollars. Philadelphia.

Washington. — For repairs of all kinds, twenty thousand dollars. Washington.

For wall on west side of yard, five hundred and forty feet long, thirteen thousand four hundred and eighty-eight dollars.

Norfolk. — For completing timber shed number seventeen, nine thousand eight hundred and eighty-eight dollars. Norfolk.

For completing spar shed, twelve thousand dollars.

For repairs of all kinds, twenty thousand dollars.

For amount due to contractors for provision store, and to complete the same, thirty-six thousand one hundred and sixty-eight dollars.

Mare Island. — For completing machine shop, fifty thousand dollars. Mare Island.

For completing smithery, fifteen thousand dollars.

For completing coopers' shop, ten thousand dollars.

For repairs of all kinds, twenty thousand dollars.

Sackett's Harbor. — For repairs of all kinds, one thousand dollars. Sackett's Harbor

Hospitals.

Hospitals.

Boston. — For repairs of all kinds, two thousand five hundred dollars.

Boston.

New York. — For repairs of hospital buildings, laboratory, and apparatus, two thousand one hundred dollars. New York.

Naval Asylum, Philadelphia. — For furniture and repairs, house-cleaning and whitewashing, repairs to furnaces, grates, and ranges, gas and water rent, and for repairs of all kinds, four thousand three hundred dollars. Naval Asylum.

For support of beneficiaries at the asylum, twenty-seven thousand dollars.

Washington. — For repairs of all kinds, one thousand dollars. Washington.

Norfolk. — For general repairs at hospital, eight thousand dollars. Norfolk.

Magazines.

Magazines.

For the construction and completion of works, and for the current repairs at the several naval magazines:

Boston. — For repairs of all kinds, and building a powder-boat, five thousand four hundred dollars. Boston.

Washington. — For repairing and improving ordnance building, six thousand dollars. Washington.

Norfolk. — For shot beds and gun-skids, additional store at magazine, and for repairs of all kinds, twelve thousand five hundred dollars. Norfolk.

For pay of superintendents, naval constructors, and all the civil establishments at the several navy yards and stations, one hundred and forty-eight thousand one hundred and four dollars.

For the purchase of nautical instruments for the use of the navy; for repairs of the same, and also of astronomical instruments; and for the purchase of nautical books, maps, and charts, and for backing and binding the same, twenty thousand dollars.

For models, drawings, and copying; for postage, freight, and transportation; for keeping grounds in order; for fuel and lights, and for all other contingent expenses; and for the wages of persons employed at the United States Naval Observatory and Hydrographical Office, viz: one instrument maker, two watchmen, and one porter, nine thousand dollars. Naval Observatory.

For the erection and repairs of buildings, improvement and preservation of the grounds, and for contingencies at the United States Naval Academy, forty-nine thousand five hundred and sixty-seven dollars and twenty-five cents. Naval Academy

- Nautical Almanac. For preparing for publication the American Nautical Almanac, twenty-five thousand eight hundred and eighty dollars.
- Charts of survey of the La Plata. For the completion of the charts of the survey of the La Plata, six thousand dollars.
- North Pacific surveying expedition, &c. For reducing and preparing for printing and engraving, under direction of Captain Cadwallader Ringgold, subject to the control of the Secretary of the Navy of the United States, copies of the charts of all surveys and reconnoissances made by him while in command of the North Pacific Surveying Expedition, and of the "Coral Archipelago," and the approaches thereto, together with sailing directions, reports, hydrographic and other results, and observations explanatory of the voyage, calculated to lessen the dangers and facilitate intercourse with the Eastern seas, China, and Japan, in accordance with the estimates of Captain Ringgold, seven thousand seven hundred dollars: *Provided*, That no publication shall be made under and by virtue hereof, except the same be the result of actual surveys, reconnoissances, and observations made by Captain Ringgold, or under his personal direction and supervision.
- Proviso. For completing the publication of the charts of the exploration of the North Pacific, China seas, and Behring's Straits, eleven thousand six hundred and seventy-two dollars.
- Charts of N. Pacific, &c. seas. SEC. 2. *And be it further enacted*, That the payments heretofore made to the clerks of yards and the commandants' clerks at the navy yards of Kittery and Philadelphia, under appropriations made by Congress for that purpose, at the rate of twelve hundred dollars per annum, are hereby allowed and confirmed.
- Payments made to clerks of certain yards, &c. confirmed. SEC. 3. *And be it further enacted*, That the President of the United States is hereby authorized to place on a retired list any medical officer of the navy who is now or may hereafter be proved to be permanently incapable, from physical or mental infirmity, of further service at sea; and that the pay of officers so retired shall be the leave of absence pay of their respective grades as it existed prior to the passage of the act of Congress to regulate the pay of the navy, approved June one, eighteen hundred and sixty.
- Retired list for medical officers. SEC. 4. *And be it further enacted*, That all vacancies in the medical corps of the navy caused by the foregoing section shall be filled in accordance with established usage: *Provided*, The number of medical officers on the active list shall not exceed the number authorized by existing laws.
- 1860, ch. 67. *Ante*, p. 23. SEC. 5. *And be it further enacted*, That the third section of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending the thirtieth of June, eighteen hundred and sixty-one," approved June twenty-three, eighteen hundred and sixty, be and the same is hereby repealed, except so far as the said section prohibits the purchase of patented firearms, as to which the said section shall still be in force.
- Vacancies in medical corps, how filled. Number. SEC. 6. *And be it further enacted*, That the compensation of the superintendent of the naval astronomical expedition to Chili shall be that provided by the act of March third, eighteen hundred and fifty-one, entitled "An act making appropriations for the year ending the thirtieth of June, eighteen hundred and fifty-two," from the seventeenth September, eighteen hundred and fifty-five, and that the amount necessary to pay the same be and is hereby appropriated out of any money in the Treasury not otherwise appropriated.
- Act 1860, ch. 205, § 3, repealed in part. SEC. 7. *And be it further enacted*, That all appropriations now or hereafter made for the preparation or publication of foreign hydrographic surveys shall only be applicable to their object upon the approval by the Secretary of the Navy, after a report from three competent naval officers, to the effect that the original data for proposed charts are such as to justify their publication; and it is hereby made the duty of the Secretary of
- Pay of superintendent of naval astronomical expedition to Chili. 1851, ch. 34. Vol. ix. p. 622.
- Appropriations for foreign hydrographic surveys, how to be made.

the Navy to order a board of three naval officers to examine and report upon the said data before he shall approve of any application of money to the preparation or publication of said charts or hydrographic results.

SEC. 8. *And be it further enacted*, That the pay of first clerks to commandants at all the navy yards shall be at the rate of twelve hundred dollars per annum, except that at [the] California navy yard, which shall be at the rate of fifteen hundred dollars per annum: That the laws approved twenty-second April, eighteen hundred and fifty-four; fourth August, eighteen hundred and fifty-four; third of March, eighteen hundred and fifty-five, and twelfth of June, eighteen hundred and fifty-eight, increasing the pay of clerks and others twenty per cent. at the Washington navy yard, be and the same are hereby repealed.

Pay of clerks, of commandants at navy yards.
Certain acts repealed.
1854, ch. 52.
1854, ch. 242.
1855, ch. 175.
1858, ch. 154.

SEC. 9. *And be it further enacted*, That the Secretary of the Navy be and he is hereby authorized to cause to be constructed for the United States navy, at as early a day as practicable, having due regard to efficiency and economy, seven steam screw sloops-of-war, of the second class, as vessels are rated in the navy, with full steam power, whose greatest draft of water shall not exceed fourteen feet, which sloops shall combine the heaviest armament and greatest speed compatible with their character and tonnage; and, for the purpose above specified, the sum of twelve hundred thousand dollars be and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Navy.

Seven steam-screw sloops-of-war to be built.

SEC. 10. *And be it further enacted*, That so much of an act entitled "An act making appropriations for the naval service for the year ending the thirtieth of June, eighteen hundred and fifty-five," approved August fifth, eighteen hundred and fifty-four, as requires the navy agent at San Francisco to discharge the duties of purser as well as of navy agent, be and the same is hereby repealed.

Navy agent at San Francisco.
Repeal of part of former law.
1854, ch. 268.
Vol. x. p. 533.

APPROVED, February 21, 1861.

CHAP. LVI.—*An Act to refund to the Territory of Utah the Expenses incurred in suppressing Indian Hostilities in the Year eighteen hundred and fifty-three.* February 27, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be allowed and paid to the Territory of Utah, out of any money in the Treasury not otherwise appropriated, the sum of fifty-three thousand five hundred and twelve dollars and twenty cents to reimburse said Territory for expenses incurred in suppressing Indian hostilities in said Territory in the year one thousand eight hundred and fifty-three, being the amount so expended, less the excess paid to officers and soldiers by said Territory, over the rates allowed to the United States troops serving on the Pacific coast in the same year.

Utah Territory to be reimbursed for suppressing Indian hostilities.

APPROVED, February 27, 1861.

CHAP. LVII.—*An Act establishing certain Post Routes.*

February 27, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads:

Post-routes established.
See post, pp. 206, 207.

ALABAMA.

Alabama.

From Louisville, Barbour county, to Indigo Head, Coffee county.

From Andalusia, via William Davis's, Helton's Cross-roads, and John Carey's, to William F. Seglar's.

From William Wills, Covington county, to Thomas Baggett's, in Florida.

From Harpersville to Elliott's, in Cahaba valley.

- From Burleson, via Fremont, to Smithville, Mississippi.
 From the Limekiln on the Alabama and Tennessee River railroad, via Campbell's Home, to Mullen's, in Shelby county.
 From Pushmataha to Meridian, Mississippi, on the Mobile and Ohio railroad.
 From Centreville, via Six Mile, to Oakville.
 From Wedowie, via Jordan's Store, Arbacoachie, Cane Land, Corn Grove, to White Plains.
 From Oleander to Warrenton, in Marshall county.
 From Tuscaloosa, via Six Mile, to the Centreville Depot.

Arkansas.

ARKANSAS.

- From Searcy to Clarksville.
 From Lewisburg to Clinton.
 From West Point to the mouth of Little Red river.
 From Dover, Pope county, via Big Creek, Newton county, to Forsyth, Taney county, Missouri.
 From Smithville, Lawrence county, via Salem and Sapp's Store, in Fulton county, to Springfield, Missouri.
 From Madison, St. Francis county, via Augusta, Jackson county, to Searcy, White county.
 From Helena, along the St. Francis road, to Madison.
 From Huntsville, Madison county, via Ozark, Franklin county, to Waldron, Scott county.
 From Jacksonport, Jackson county, via Oil Trough and Pleasant Plains, and through Pine Grove neighborhood, to Wolf Bayou P. O., Independence county.
 From Batesville, Independence county, via Mt. Olive, Izard county, Yellville, Marion county, Carrollton, Carroll county, Huntsville, Madison county, to Fayetteville, Washington county.
 From Memphis, via Madison, to Little Rock.
 From Walnut Hills, La Fayette county, to Courtland, Cass county, Texas, via Spring Banks and Bright Star.
 From Hot Springs, Hot Springs county, to Caddo P. O., Montgomery county.
 From Ultima Thule, Sevier county, to Boston, Bowie county, Texas.
 From Washington, Hempstead county, via Pine Grove, same county, Caddo Gap and Mt. Ida, Montgomery county, and Waldron, Scott county, to Fort Smith, Sebastian county.
 From Green Mount, Drew county, to Auburn, Arkansas county, via Moore's on Bayou Bartholomew.
 From Camden, via Magnolia and Homer, to Minden, Louisiana.
 From Grand Glaze, Jackson county, via Intercourse, Pleasant Plains, Cedar Grove, Piney Woods, to Wolf Bayou, Independence county.
 From Little Rock, via Gillman's, King's Bridge, Springfield, Conway county, Glass Village, Dover, Pope county, Maddin's Mill, Clarksville, Ozark, and Van Buren, to Fort Smith.
 From Camden, via Lisbon and Buffalo, to Eldorado.
 From court-house of Craighead county, to Pochantas.
 From Pine Bluff to Hot Springs.
 From Fremont, via Lisbon, Varner's and Easter's, to Atlanta, Columbia county.
 From Memphis, Tennessee, via Wittsburg, Arkansas, to Jacksonport.
 From Sugar Loaf, via Adam Morris's, Thomas Lewis's, to Jack Riddle's, on the overland mail route.

California.

CALIFORNIA.

- From Sonora, via Jamestown, Montezuma, Chinese Camp, Crimea House, and Don Pedro's Bar, to Coulterville.

- From Sonora, in Tuolumne county, to Monoville, in Western Utah.
- From Tehama, in Tehama county, to Ukiah, in Mendocino county.
- From Weaverville to Summerville, in the county of Klamath.
- From Weaverville, via Douglas City, to Kingsbury's, on Hay Fork, in Trinity county.
- From Nevada to Carson City, in Utah.
- From Red Bluff, in Tehama county, via Lost Camp, Pine Grove, to Susanville, in Honey Lake Valley.
- From Los Angeles, via Anaheim, San Juan, Capietruno, and San Louis Rey, to San Diego.
- From San Louis Rey to Temecula.
- From Yreka, via Shasta and Murphy, in the State of California, to Genoa, in the Territory of Utah.
- From Cloverdale, via Felly's Valley, Ukiah City, Little Lake Valley, and Sherwood, to Long Valley.
- From Cloverdale to Eureka.
- From Eureka to Uniontown.
- From Eureka, via Bear River and Cape Mendocino, to Mattole Valley.
- From Weaverville, Trinity county, via Rattle Snake, Grizzly Gulch, and Buelville, to the Forks of Salmon River, Klamath county.
- From Carson City, in the Territory of Utah, to Nevada City, passing over the Sierra Nevada, through the Henness Pass, with mail routes diverging therefrom; first, one leaving said route at Jackson's Ranch, near the western end of Henness Pass, to Downieville, Sierra county; and the second, leaving at Lake City, in the county of Nevada, via North San Juan, to Marysville, Yuba county.
- From Sonora, California, by Long Gulch, Blakeley, and Somer's Mills, Cherokee Pass, McKee's Mills, and Carroll's Mills, to Salisbury's Mills.
- From Fort Tejon, by San Bernardino and San Geronima, to Fort Yuma.
- From San Bernardino, by Fillmore, to Salt Lake.
- From San Bernardino, by Temecla, to San Diego.
- From Visalia, by Buzzard Roost and Tulare Lake, to San Louis Obispo.
- From Fort Miller, by Gold Gulch, Coarse Gold Gulch, Roan's Store, and Brown's Ranch, to Mariposa.
- From Mokelumne Hill, by West Point, to Genoa.
- From Georgetown, by Work's Ranch, Gaddis Creek, and Slippery Ford, to Carson City.
- From Georgetown, by Volcanoville, to Michigan Bluffs.
- From Placerville, by Coloma, to Auburn.
- From Sacramento, by Sutterville and Runyon's Ranch, to Sharp's Ranch.
- From Eldorado, by Miller's Ranch and Drytown, to Jackson.
- From Marysville, by Johnson's Crossing, Coon Creek, and Gold Hill, to Auburn.
- From Fairfield, by Bernyessa Valley, to Clear Lake.
- From Fairfield, by Nursis Landing, to Riovista, or Bazos del Rio.
- From Weaverville to Trinity Centre.
- From Happy Camp, California, to Waldo, Oregon.
- From Yreka, by Indiantown, to Scott's Bar.
- From Forks of Salmon, by Farler's, Centreville, Cecilville, Petersburg, and Buel's, to Big Bend.
- From Big Bend, by Rattlesnake, to North Fork of Trinity.
- From Cloverdale, by Ukiah Valley, Little Lake Valley, and Round Valley, to Weaverville.
- From Petaluma, by Sebastopol and Fort Ross, to Punta Arenas.
- From Ukiah to Mendocino City.

From San Francisco, by Vally's, to Napa.
 From Upper Clear Lake to Mendocino.
 From Santa Rosa to Somena.
 From Santa Rosa, by Annally's, to Bodego.
 From San Louis Obispo to San Simeon.
 From Santa Clara, by Mountain Charley's or Loquel, to Santa Cruz.
 From Downieville, by Sierra Valley, Upper Crossing of Truckee, Big Steamboat, and Spring Meadows, to Washoe Valley.
 From Quincy, by Martin's Ranch, Lovejoy's, Eightmile House, Beckwith's, Hay Stacks, and Peavine Springs, to Virginia City.
 From Cloverdale to Eureka Bay.
 From Eureka to Uniontown and back, daily.
 From Eureka, by Bear River and Mendocino, to Mattole.
 From Crescent City, by mouth of Rouge River, to Port Oxford.
 From Sacramento, by Ione City, to Jackson.
 From Stockton, by Poverty Bar, Lancha Plana, Campo Seco, Ione City, and Cosumne, to Folsom.
 From Jackson, Pine Grove, and Fiddletown, to Indian Springs.
 From Mokelumne Hill to Elk Grove.
 From West Point, by Indian Springs, to Grizzley Flat.
 From Diamond Springs, by Fiddletown, to West Point.
 From Folsom, by Fiddletown, to Indian Springs.
 From Grizzley Flat to Georgetown.
 From Placerville, by Greenwood, to Michigan Bluffs.
 From Marysville to Folsom, via Coon Creek.
 From Yankee Jim's to Placerville.
 From Yankee Jim's, by Illinoistown and Red Dog, to Nevada.
 From Michigan Bluffs, by Dutch Flat and Little York to Nevada.
 From Dutch Flat, Omega, Moore's Flat, and Alleghanytown, to Downieville.
 From Illinoistown, by Grass Valley, to Empire Ranch.
 From Oregon House to Forbestown.
 From Downieville, by Eureka North and Table Rock, to Gibsonville.
 From Camptonville, by Forbestown, to Peavine.
 From Oroville to Forbestown.
 From Laporte, by Quincy, to Shasta.
 From Mokelumne Hill to Murphey's.
 From Double Springs to Columbia.
 From Columbia to Murphey's.
 From Columbia to Mariposa.
 From Mariposa to Visalia.

Connecticut.

CONNECTICUT.

From Redding Ridge, via Redding, to West Redding.

Florida.

FLORIDA.

From Tampa to Fort Meade.
 From Volusia to a point on Halifax river, known as Shady's Grove, to embrace Haw Creek and Tomaka.
 From Madison Court-house, via Moseley's Mills, to New Boston, on the Suwannee river.
 From Bronson, Levy county, via, Chrystal River, to Brookville, Hernando county.
 From Brookville, Hernando county, to Bayport.
 From Fort Meade to Charlotte Harbor.
 From Providence, via Lake Butler, to Stark.
 From Ocoola, via Number Two, Tyner's, Willis', Rawls', and Shell Pond, to Archer Station, on the Florida railroad.
 From Apalachicola to Cedar Key.

GEORGIA.

Georgia.

From Newton, Baker county, via Camilla, Mitchell county, and Moultrie, Colquitt county, to Nashville, Berrien county.

From Milford, via Furlow's, to Gillionsville.

From Americus, Sumpter county, via Ellaville, Schley county, and Buena Vista, Marion county, to Geneva, Talbot county.

From Waresboro' to Holmesville.

From Blackshear, Pierce county, via Strickland and Bagby's Store, to Douglas, Coffee county.

From Albany, via Moultrie and Tallokos, to Quitman.

From Spring Place to Ball Grounds, Murray county.

From Ellejay, via Jasper, in Pickens county, and Ball Grounds, to Canton, Cherokee county.

From Rome, via the Coosa River and Greenport, to Talladega, Alabama.

From Stephenville to Dublin, Laurens county.

From Atlanta, via Roswell, Alpharetta, and Cumming, to Dahlonega.

From Bowdon, via Goggin and Walthall's Store, and Tallapoosa, to Cedartown.

From Atlanta, via Turner and Mason's Ferry, Powder Springs, Villa Rica, Buchanan, and Tallapoosa, to Jacksonville, Alabama.

From Trader's Hill to Tebeauville, on the Atlantic and Gulf railroad.

From Statenville, Echol's county, to Valdosta, Lowndes county.

From Newton to Bond's Mills.

From Doctortown, by the Antamaha river road, to Oakmulgeeville.

From Reidsville to Johnson's Station.

From Valdosta, via Hahira, Berry Wells, and Ava, to Moultrie, Colquitt county.

From Way's Station, on the Alabama and Gulf railroad, via Ellarby's Store, Valentine Gil's, William Kennedy's, and Harrill's Store, in Bullock county, to Statesboro'.

From Jacksonville, in Telfair county, to Sugar Creek.

From Harmony Grove, in Jackson county, Phidetta, Bushville, and the county site of Banks, Wells Creek, Hollingsworth, to Clarksville, in Habersham county.

ILLINOIS.

Illinois.

From Greenup, in Cumberland county, via Prairie City and Neoga, to Shelbyville, Shelby county.

From Rockland Station, on the Chicago and Milwaukee railroad, in Lake county, via Libertyville, Fremont, and Shields, to Forksville, in said county.

From Marion, Williamson county, via M. F. Smith's and Western Saratoga, to Jonesboro', in Union county.

From Murphysboro', via the Bluff road, to Liberty, in Randolph county.

From Gardner Station, on the Alton and St. Louis railroad, to Tonica Station, on the Illinois Central railroad.

From Mount Erie, Wayne county, to Clay City, Clay county.

From Carbondale, via Urbane, J. A. Williams', and Caleb Lyrely's, to Jackson, Missouri.

From Duquoin, Perry county, via Vergennes and Ava, to Chester.

From Newton, in Jasper county, via Elliottstown, to Mason, Effingham county.

From Mt. Vernon to Xenia.

From Quincy, Adams county, via Millville, Kinderhook, Rockport, Atlas, Pleasant Vale, Pleasant Hill, Bayville, Fairview, and Hamburg, to Hardin, in Calhoun county; and returning, shall pass up the bottom lands of the Illinois river to Shafer's Store, thence to Vedder, Newport, Harpole's School House, Bayville, and back on the same route to Quincy.

From Hardin, via News, Fielding, Jerseyville, and Fidelity, to Shipman, in Macoupin county.

From Wallingford, via Five Mile Grove, to Joliet.

From Georgetown, via Indianola, Palermo, (Hickory Grove,) Newman, and Camargo, to Tuscola.

From Manteno, via Yellow Head Grove, to Sherburnville.

From Manchester, in Green county, via Winchester and Oxville, to Naples, in Scott county.

From Hickory Hill to Xenia.

From Prairie City, via Arlowe, Burnsville, Job's Creek, and Mustean's Grove, to La Harpe.

From Belleville to Coloma, a station on the Central railway, Washington county.

From Galva, Henry county, via Bishop Hill, to Cambridge.

From Macomb, McDonough county, via Johnson, Table Grove, Ipavia, Vermont, and Astoria, to Bardstown, in the county of Cass.

From Indianola to Catlin.

From Duquoin, Perry county, via Forest Hill, Willis Grove, and Denmark, to Steel's Mills, Randolph county.

From Benton, via Aiken, Lane's Cross Roads, and Griswold, to New Haven, Illinois.

From Jordan Post Office, Vermillion county, Illinois, to Marshfield, Warren county, Indiana.

From Bushnell, via Marietta, Table Grove, Vermont, Astoria, Brown- ing, and Frederick, to Beardstown.

Indiana.

INDIANA.

From Chili, via Wheatville, to Gilead.

From Ross Station (on the Michigan Central railroad cut-off) to Merrillville, Lake county.

From Grovertown, (on the Fort Wayne and Chicago railroad,) via Knox, in Stark county, to San Pierre, on the Louisville, New Albany, and Chicago railroad.

From Mooney, via Woodville P. O., to Medora.

From Bourbon, Marshall county, (on the Fort Wayne and Chicago railroad,) via Tippecanoe town, Yellow Creek, Sevastopol, Akron, Gilead, Wheatville, and Chili, to Peru, on the Wabash Valley railroad.

From Greensburgh, via Kingston, Spring Hill, and Clarksburgh, to Metamora.

From Newport, via Quaker Point, to Bonwell, in Illinois.

From Hobbieville, Green county, via Bloomfield and Linton, to Sullivan, Sullivan county.

From Dyer Station, Lake county, via St. John's and Brunswick, to Outlet.

From Bridgeport, Perry county, to Ferdinand, Dubois county.

From the county seat of Newton county, via White's Grove, to Morrocco.

From Brownstown, via Mooney, to Bloomington.

From Fort Ritner, via Leesville, to Heltonville.

From Crown Point to Dyer Station.

From Alvarado to Hamilton.

From Aurora to Rising Sun, (by land.)

From Monrovia, via Centre Valley and Belleville, to Cartersburg.

Iowa.

IOWA.

From Forrest City, Winnebago county, via Bristol and W. H. Russel's, Worth county, and Stephen's Corners, on the Minnesota line, to Otranto, in Mitchell county.

From Des Moines, via Winterset, Madison county, Afton, Union county,

and Bedford, Taylor county, Iowa, and Mound City, Holt county, Missouri, to White Cloud, Kansas.

From Oskaloosa to Montezuma.

From Montezuma, via Blue Point, to Lynnville, in Jasper county.

From Oskaloosa, via Flint, Granville, Lynnville, and Sugar Creek, to Grinnell, Poweshiek county.

From Cedar Bluffs to Mechanicsville.

From Leoni, Butler county, via Boyland's Grove, Union Ridge, Hampton, County Seat, Franklin county, and Maysville, to Iowa Falls, Hardin county.

From Shell Rock Falls, via Plymouth, Northwood, Shell Rock City, and Saint Nicholas, to Albert Lee, Freeborn county, Minnesota.

From Wyoming, Jones county, to Loudon, Cedar county, on the Chicago, Iowa, and Nebraska railroad, crossing the Wapsapinicon river at Oxford City.

KANSAS.

Kansas.

From Merrimac to Eaton City, on the Republican river.

From Palermo to Kennekuk.

From Kennekuk to Louisville.

From Cottonwood Falls to Beach Valley.

From Cottonwood Falls, via Diamond Springs, to Junction City.

From Chelsea to Diamond Springs.

From Raysville (Osage post-office), via Dayton, Turkey Creek, and Rockford, to Pawnee City.

From Leavenworth, via Pratt's Mission, Monticello, Olathe, Spring Hill, Paolo, Paris, Moneka, Mound City, Mapleton, and Dogtown, to Marmaton, in Bourbon county.

From Marysville, Marshall county, via Cottonwood Trading Post, to Washington, Washington county.

From Humboldt, Allen county, via Osage City, Catholic Mission, Free Point, and Saint John, to Fort Gibson.

From Carlyle, Allen county, via Geneva, to Neosho Falls, Woodson county.

From Ohio city, Franklin county, via Central City, to Neosho Falls.

From Paoli, Lykins county, via Miami Village, New Lancaster, and Rockville, to West Point, Bates county, Missouri.

From Topeka, via Burlingame, to Forest Hill.

From Atchison, via Saint Nicholas, Winchester, and Oskaloosa, to Lawrence.

From Atchison, via Lancaster, America, Irving City, and Blue River, to Clifton, in Clay county.

From Lawrence to Salina, via Big Springs, Shields, and Brownville.

From Burlington, via Woodson Center, Nicaragua, Verdigris, and Salem, on the Arkansas river, to Sherman, Texas.

From Ossawatamie, via Jackson, Centreville, and Oakwood, in Linn county, to Xenia, Bourbon county.

From Lawrence, via Minneola and Sac and Fox Agency, to Burlington.

From Leavenworth City, via Platte City, Missouri, to Cameron, Missouri.

From Fort Riley, via Batchelder, to Gatesville.

From Leroy, Coffee county, to Neosho Falls, Woodson county.

From Atchison to Holton, in Jackson county.

From Atchison, via Lancaster, Monrovia, Morgota, Eureka, America, and Clear Creek, to Merrimac.

From Junction City, to Denver City, via Smokey Hill, Fork of Kansas river.

From Fort Scott, via Cow Creek, Mr. Baxter's, Hudson's, Z. Daniel's, Sulphur Springs, Landrum's, John Alberty's, Pryar's Creek, Duncan's,

Brady's Ferry, Arkansas river, N. Fork, Town Creek Nation, Gary's, and Boggy Depot, to Preston, Texas.

From Denver City to Mountain City.

From Colorado City, via Tarryall, to Breckenridge.

From Missouri City to Breckenridge, via Spanish Bar and Idaho.

From Mountain City to Boulder.

From the Sac and Fox Agency to Burlington.

From Humboldt, via Catholic Mission and McGee City, to Grand Falls, Newton county, Missouri.

From Mapleton, via Magnolia and Vernon, in Allen county, to Humboldt.

From Ellwood to Marysville.

From Colorado City to Diamond Springs, on the Independence and Santa Fe route.

From Vermillion City, via Irving, to Eatonsville.

From Fort Smith, in Arkansas, via Fort Gibson, to Pawnee Fork, Kansas.

From Colorado City to Pawnee Fork.

From Cottonwood Springs, in Nebraska Territory, to Denver City.

From Woodson Centre, Woodson county, Kansas, via Mantaw, Allen county, Littleton, Lebeete, in Dorr county, Quapaw Agency, in the Quapaw Nation, to Neosho, in Newton county, Missouri.

From Topeka, via Springfield, to Council Grove.

From Council Grove to Cottonwood Falls.

From Cottonwood Falls, via Bazaar, to Chelsea.

From Marysville, via Merrimac, St. George, and Waubonsa, to Wilmington.

From Leavenworth, via De Soto, to Ossawatimie.

From Mapleton, Bourbon county, via Magnolia and Vernon, to Humboldt, Allen county.

From Colorado City to Pawnee Fork.

From Kansas to Fort Riley.

From Atchison to Topeka.

From Atchison to Fort Kearney.

From Pawnee Fork, via Fort Wise, to Pueblo, on the Arkansas river.

From Pueblo to Colorado City.

From Pueblo up the Arkansas river, via Cannon City, Kellar's Bar, California Gulch, and Georgia Gulch, to Breckenridge.

From Ohio City, via Cresco, to Le Roy.

From Tanqua to California Gulch, on the Arkansas.

Kentucky.

KENTUCKY.

From Bowling Green, via Claypool and Gainsville, to Scottsville.

From Murray, via Cook's Valley and Linnville, to Feliciana.

From McKee, Jackson county, via William Golden's and Reedville, to Mount Vernon.

From John Morris's, on Beaver Creek, Floyd county, to Whitesburg, Letcher county.

From Licking Station, Floyd county, via Elliottsville and Jackson, Breathitt county, to Booneville.

From Danville, Boyle county, via the Danville, Dix River, and Lancaster Turnpike road, to Lancaster, Garrard county.

From Paintsville, Jackson county, [to] Saylersville, Magoffin county.

From London, Laurel county, via Sublimity, to Somerset, in Pulaski county.

From Flat Lick, Knox county, along the old Wilderness and Raccoon road, to Bush's Store, in Laurel county.

From Hazard, Perry county, via Joseph Eversole's and Crockettville, to Booneville, Owsley county.

From Paducah, via Mayfield, to Casey's Station, on the Mobile and Ohio railroad, in Tennessee.

From Murray via New Providence [and] Albertson's Mills, to New Concord.

From Providence, via Dixon, to Poolville.

From Cadiz, via Donaldson Creek, to Linton.

From Wingo's Station, via Casey's Station and Feliciana, to Hickman.

From Madisonville, via Vanderburgh, St. Jo's, and Dixon, to Morganfield.

From Clinton, Kentucky, to Dresden, Tennessee.

From Clarksville, Tennessee, via Garnetsburg, Lafayette, Roaring Springs, to Cadiz, Kentucky.

From Barbourville, Knox county, via London, to Boston, Whitley county.

From West Liberty, Morgan county, via the forks of Elk Creek, the forks of New Creek, and New Hope, to Bells trace, at William Watsons.

LOUISIANA.

Louisiana.

From Opelousas to Hickory Flats, in [the] parish of Calcasieu.

From Downs ville, via Pipesville, Loure nce's Ferry, and John Day's, to Lisbon, in Claiborne parish.

From Greensburg, via William's Mills, on Fickfaw river, to Osyka, on the New Orleans, J., and G. N. railroad.

From Harrisonburg to Winsboro'.

From Kirk's Ferry to Trinity.

From Tanchipahoa, in St. Helena, to Franklinton.

From Villa Platte, via Hickory Flat, to Lake Charles.

From Mount Pleasant, Caldwell Parish, to Louisville, Winn Parish.

From Lake Charles to Sugar Town.

MARYLAND.

Maryland.

From Bladensburg to Buena Vista.

From North East, via Bay View and Zion, to Brick Meeting-house, in Cecil county.

MASSACHUSETTS.

Massachusetts.

From Charle mont, Franklin county, through the northwest part of Hawley, and the northerly part of Savoy, in Berkshire county, to Adams, South village, in said Berkshire county, via the post-office in West Hawley, and the house of Timothy Baker, in said Savoy.

From Franklin to Sheldonville.

[From Charlotte Hall, down the three-notched road, to the Great Mills, and thence to Point Lookout.]

MICHIGAN.

Michigan.

From Croton to Leonard.

From Sangatunck, via Holland, to Grand Haven.

From Arland, via Tompkins' Mills, Aurelius Centre, and North Aurelius, to Delhi Centre.

From Forestville, via Bingham, Austin, Elkland, Ellington, Almer, Indianfields, Watrous ville, Denmark, and Blumfield Junction, to East Saginaw.

From Linden, via Argentine and Deer Creek, to Oak Grove.

From the mouth of the Menomonee river, via Little Bay de Noquet, to Munising, on Lake Superior.

From Ovid, on the Detroit and Milwaukee railroad, to Duplain.

From Niles, via Berrien Centre, Pipe Stone, and Bainbridge, to Water-vliet.

From Muskegon, county site of Muskegon, to Mears, at the head of White Lake.

Minnesota.

MINNESOTA.

From Breckenridge, in Toombs county, via Graham's Point, Sytominue, La Fayette, Georgetown, Dakota, and Fort Abercrombie, to Pembina, in Pembina county.

From Pine Bend, in Dakota county, to Northfield, in Rice county.

From Chatfield, Fillmore county, via Carimona, Forestville, Cherry Grove, Etna, and Elba, to Leroy, Mower county.

From Reed's Landing, via Pepin, Lakeport, Stockholm, and Maiden Rock, to Saratoga, Wisconsin.

From Little Falls to Breckenridge.

From Little Falls, Morrison county, via Granite City, and the north shore of Mille Lac Lake, to Superior City, Wisconsin.

From New Ulm, Brown county, via Leavenworth, to Fort Ridgely, Nicollet county.

From Jackson, Minnesota, to Fort Dodge, Iowa.

From Jackson, Minnesota, to Sioux Falls City, Dakota Territory.

Mississippi.

MISSISSIPPI.

From Meadville, via Wells Creek and Knoxville, to Hopewell Church.
From Philadelphia, in Neshoba county, via Tearn's Spring, to Mashulaville.

From Herbert, Neshoba county, (on the great stage line from Jackson, Mississippi, to Montgomery, Alabama,) to Marion station on the Mobile and Ohio railroad.

From Port Gibson, Claiborne county, via Oak Hill, to Union Church, Jefferson county.

From Big Oak, Kemper county, via Marion Station, to Philadelphia, in Neshoba county.

From Garvin's Ferry, on the Sunflower river, to Williams's Landing, on the same river.

From Greenwood to Sharkey, and declaring the Tallahatchie river a post route between those points.

From Union, via William Tames, Belton, to Chunkeyville.

Missouri.

MISSOURI.

From Parkville to Quindaro, in Kansas.

From Rochester, Andrew county, via Albert G. Atkins's farm and Douglas, to Yolo, in Gentry county.

From Trenton, Grundy county, via Edenburg, Grubtown, and Bolton, to Bethany.

From Independence, via Liberty, Plattsburg, Osborn, Maysville, and Gentryville, to Albany.

From Kansas City to Liberty.

From Rockport, in Boon county, to Sturgeon.

From West Plains to Breckenridge, in Arkansas.

From Neosho to Fountain City, Kansas.

From Poplar Bluffs, via Ash Hill, to Kennett, in Dunklin county.

From Stewartsville, via Ridgely, to Parksville.

From Ridgely, via Platte City, to Weston.

From Saint Joseph, via Elwood and White Cloud, in Kansas, and Saint Stephen, to Nebraska City.

From Saint Joseph, via Elwood, Walthena, Troy, and Robinson, to Caponia.

From Rolla, Phelps county, to Dent, C. H.

From Liberty, via Smithville and Carpenter's Store, to Saint Joseph.

From Iron Mountain, via Howe's Mill, to Dent, C. H.

From Dundee, via Campbellton and Port Hudson, to Cedar Fork.

From Cross Roads, via Brady's Mills, to Perryville.

From Rolla, Phelps county, via Wright and Kitchen's Store and Edgar's Springs, to Licking, Texas county.

- From Cuba, via Steelsville, to Dent C. H.
 From Cadet Station to Big River Mills.
 From Jamestown, Phelps county, to Dent C. H.
 From Curran, Stone county, via Flat Creek, to Berryville, Arkansas.
 From Point Pleasant, via Brown's Ferry, in Dunklin county, to Gainesville, Arkansas.
 From West Prairie, via Kennett, to Homersville, Dunklin county.
 From Lowndes to Bloomfield.
 From Logan's Creek, via Mammoth Springs, Carter's Mills, and Taylor's Store, to Patterson.
 From Dent C. H., via Harlow's Mills, to Jack's Fork, in Texas county.
 From Butler, via West Point, to Paoli, Kansas.
 From Ozark, Missouri, to Batesville, Arkansas.
 From Medora to Vienna.
 From Chamois to Portland.
 From California, Moniteau county, via High Point and Rocky Mount, in Miller county, to Linn Creek, Camden county.
 From Springfield, via Ozark and Forsythe, in Missouri, Burrowsville, Arkansas, to Atlanta, Arkansas.
 From Rocheport, via Rome, to Sturgeon, in Boone county.
 From Bowling Green, Pike county, to Spencerburg.
 From Macon City, via Edina and Memphis, to Farmington, Iowa.
 From Saint Louis, via Cahokia, Centreville station, Millstadt, and Floraville, to Hecker, in Illinois.
 From Saint Joseph, via Elwood, Bellemont, and Highland, in Kansas, and Rulo, Saint Stephen, Nemeha City, Brownsville, Nebraska City, Wyoming, Rock Bluff, Plattsmouth, and Bellvue, to Omaha, in Nebraska.
 From Allen, via Kytesville, to Brunswick.
 From Trenton to Pleasant Plains, Iowa.
 From Fort Des Moines, Iowa, via Trenton, Chillicothe, and Carrolltor, Missouri, to Little Rock, Arkansas.
 From Paris, via Middle Grove, to Renick.
 From Glasgow, via Switzer's Mill, M. Harrel's, and Eli Wayland's, to Callao, on the Hannibal and St. Joseph railroad.
 From Chillicothe, via Alpha and Lindley, to Wintersville.
 From Scottsville, via Terre Haute, Busick's Store, and Madisonville, to Corydon, Wayne county, Iowa.
 From Keytsville, via Westville, Bucklin, and Greencastle, to Unionville.
 From Fort Henry, via Thomasville, and Atterbury and Jackson's Store, to Callao, Macon county.
 From Marshfield, via White Oak Spring, Kenton, and Ozark, to Galena.
 From Ozark, via Stevens' Mill, to Mount Vernon.
 From Hartville to West Plains.
 From Neosho to Little Verdigris, in the Cherokee Nation.
 From Ozark to Douglas C. H.
 From Crawford Seminary to Childer's, on the Neosho river.
 From Clinton, Henry county, via Monagan, to Nevada, in Vernon county.
 From Silver Spring to Blackwells Station, on the Iron Mountain railroad.
 From Weston, via Jatan, to Atkinson, Kansas.
 From Columbia, in Boon county, via Providence, Jamestown, California Highpoint, and Rocky Mount, to Linn Creek, in Camden county.

NEBRASKA.

Nebraska.

- From Decatur, Burt county, via Logan Valley, to West Point, Cumming county.
 From Dakota City, along the Missouri river, to Fort Randall.
 From Highland, via Falls City, to Nebraska City.

From Falls City, via Geneva, Scott's, Table Rock, Pawnee City, and Beatrice, to Patterson's Rancho.

From Brownsville, Nemaha county, via Tecumseh and Austin, to Beatrice, in Gage county.

From Pawnee City, via A. R. Hunt's, Tecumseh, Kingston, and Three Forks of Great Nemaha, to Olatha, on Salt Creek.

From Ponca, via Iona, to Vermillion, in Dakota Territory.

New Hampshire.

NEW HAMPSHIRE.

From Dover, via Rochester, Union Village, and Ossipee, to Conway.

From Conway to North Conway.

New Jersey.

NEW JERSEY.

From New York, via the Raritan and Delaware Bay railroad, to Long Branch, New Jersey.

From Bordentown, via Mansfield Square, Georgetown, Sykesville, Wrightstown, and Paintville, to Brown's Mills, Burlington county.

New York.

NEW YORK.

From West Shandaken, via Gavet, (near Mill Brook,) Gant's Mills, and Turnwood, (near Beaverkill river,) to Shin Creek post office.

From Hancock to Mt. Pleasant, Pennsylvania, via Ball's Eddy, Kingsbury Hill, Staatsburg, Fallmansville, Hines's Corners, and Belmont.

From North River to Eagle's Nest.

From Johnsbury, via North Creek and North River, to Eagle's Nest.

From Albany, via Greenbush, East Greenbush, Schodack Centre, Nassau, Brainard's, Moffatt's Store, New Lebanon Centre, and New Lebanon, to New Lebanon Springs.

From Parksville, Sullivan county, to Callicoon Depot, via Liberty, Robertsonville, Youngsville, Jeffersonville, and North Branch.

From Rockland to North Branch, via Thumansville.

New Mexico.

NEW MEXICO.

From Taos, via Arroyo Hondo, Rio Colorado, Costilla, Culebra, Fort Garland, Fountain City, and Russleville, to Denver City.

From Fort Union, via Rayado, to Pueblo.

From Independence, Missouri, via Pawnee Fork, Fort Wise, Rayado, and Fort Union, to Santa Fe.

North Carolina.

NORTH CAROLINA.

From Burnsville to Johnson Depot, in Tennessee, on the East Tennessee and Virginia railroad.

From Burnsville, Yancey county, via Pleasant Gardens, to Marion, McDowell county.

From Swift Creek Bridge, in Craven county, to Whitford's Mills.

From Shepardsville, Carteret county, to Hadnot's.

From Shepardsville, Carteret county, to Swansboro', Onslow county.

From Swansboro', via Palo Alto, to Piney Green.

From Newbern, via Goose Creek Mills, to Cherryville, in Craven county.

From Cherryfields to Webster.

From Manchester, on the Fayetteville and Salisbury route, via Murchison's Mills and Morrison's Mills, to Carthage.

From Ashboro', in Randolph county, via Pretorsville, Cox's Mills, Bame's Creek, and Harley's Hill, to Troy, Montgomery county.

From Holley's Wharf, on the Chowan River, to Ballard's Bridge, in Chowan county.

From Merrick's Creek, New Hanover county, via Harrison's Creek, to Topsail Sound.

From Asheville, via Bull Creek, Riem's Creek, and Ivy Gap, to Democrat, in Buncombe county.

From Spruce Pine, Yancey county, via Childsville, Linnville Falls, Lovely Water, and Grandfather Mountain, to Valley Crucis, Watauga county.

From Swannano, Buncombe county, to Mount Mitchell.

From Fort Montgomery, Cherokee county, to Rocky Point, Tennessee.

From Laurel Valley, Cherokee county, to Hiwassee Copper Mines, Tennessee.

From Oak Ridge, Guilford county, to King's Store, same county.

OHIO.

Ohio.

From Edgerton, via St. Joseph, Sheline's Mills, and Columbia, in Williams county, Ohio, and Camden, to Reading, Hillsdale county, Michigan.

From Columbus, via Hope and Gabanna, Franklin county, to Centre Village, Delaware county.

From Worthington to Dublin, Franklin county.

From New Madison, via Yankeetown and Concordia, to Brinley's station.

From Chillicothe, via Story Creek, to Sharonville.

From Coshocton, via Gambier, Wolf's, New Castle, Mohawk Village, and Roscoe, to Mount Vernon.

From Brecksville, Cuyahoga county, via Northfield post office, to Macedonia Depot.

From Graytown, via Locust Point, to Port Clinton, Ottawa county.

From Cincinnati, via South Pendleton, Columbia, Tompkins, and Sweet Wine, to New Richmond, Clermont county.

From Leesville, Carroll county, via Rockford, to New Philadelphia, Ohio.

From Cleveland, via Saint Clair road and Merchant's Corners, to Col-lamer.

From Republic to Clyde.

From Wyandot to Nevada, in Wyandot county.

From Hamilton, via Saint Charles, to Brookville, Indiana.

From Middletown, Butler county, to Winchester, Preble county.

From Gallipolis, by the Ohio river, via Millersport, Ohio, Guyandotte, Virginia, Burlington, Ohio, Ceredo, Virginia, Catlettsburgh, Kentucky, Ashland post office, Kentucky, and Ironton, Ohio, to Portsmouth, Ohio.

From Wauseon, Fulton county, Ohio, via Ottokee, Tedrow, Emery, and Morenci, to Clayton, Michigan.

From Ottokee, via Wynomeg, Lyons, Oakfield, Fulton county, Ohio, to Adrian, Michigan.

From Pleasant post office, (Columbus Grove,) Putnam county, to Kalida.

From Kalida, via Franconia, to Hamer, Paulding county.

From Findlay, Hancock county, via Bigelow's Mill, Houckstown, Blanchard's Bridge, and Mount Blanchard, to Forest.

From Vaughansville to Pleasant.

From McArthur, Vinton county, to Vinton Station, on the Marietta and Cincinnati railroad.

From New Carlisle, via Medway, to Osborne.

From Chesterville, Morrow county, through Sparta and Bloomfield, to Hilliar and Centreburgh, Knox county.

OREGON.

Oregon.

From Salt Lake City, via the Wallen route, to Dalles, in Oregon.

From the City of Portland, via Phillip Foster's, across the Cascade Mountains, to Old Fort Walla-Walla.

Pennsylvania.

PENNSYLVANIA.

From Ickesburg, via Shull's Mills, Sandy Hill, and John Ernest's, to Blain, Perry county.

From Duncannon to Dellville, Perry county.

From Orbisonia, (a point on the stage route from Mount Union to Chambersburg,) via Meadow Gap, Maddensville, Fort Littleton, and Kobbsville, to McConnellsburg.

From Waterloo, via Nossville, to Shade Gap.

From Asylum, in Bradford county, via New Era and Resaca, to Laddsburg, in Bradford county.

From Dimock, in Susquehannah county, via Lathrop's Lake, to Rush, in said county.

From Montrose, via Silver Lake, to Brackney, in Susquehannah county.

From Water street, via Alexandria, to Petersburg, (Shaver's Creek post office,) Huntington county.

From Tunkhannock, via Factoryville, Fleetsville, Wallsville, Warren's Mills, and Tompkinsville, to Clifford, Susquehannah county.

From Morleytown to Sterrett's Gap, in Perry county.

From Wellsborough, Tioga county, via Sabinsville, to Westfield.

From Sugar Grove, via Beech Woods and Jackson Run, to Warren.

From Meadville, via Harmonsburg and Line Mills, to Penn Line.

From Lairy's Station, on Lehigh Valley railroad, via Unionville, Schnecksville, Weildasville, Lyon Valley, Hynemansville, Weissenburg, in Lehigh county, and Leipenspergerville, to Kutztown, in Berks, county

From Helen, via Kersey, to Benzinger.

From Kittanning to Leechburg.

From Porterfield, Venango county, to Shippenville, Clarion county.

From Freeport, Armstrong county, to Winfield, Butler county, returning by State Lick.

From Philadelphia, by the Germantown turnpike road, to Rising Sun Village, thence by the Cheltenham and Willow Grove turnpike road, to the intersection of the Lime Kiln turnpike road, thence by the latter road, via Pittville, Edge Hill Village, Fitzwatertown, Dreshertown, and Tarrett Town, and thence, via Prospectville, to Greentree.

From Loudon to Bridgeport Mills, Loudon county.

From Zollarsville, Washington county, to Ten Mile, same county.

South Carolina.

SOUTH CAROLINA.

From Leesville, in Edgefield district, to Troy Level, in Newberry district.

From Lott's, in Edgefield district, to Graniteville.

From Edgefield C. H. to Aiken, in Barnwell district.

From Black Oak post office, via Pamlico post office, to Summerville.

From Kingtree, in Williamsburg district, (on the Northeastern railroad,) via Manning, to Packville.

From Manning, via Plowden's Mills and Salem, to Bethlehem, in Clarendon district.

From Sandy Grove, via Black river, to Kingtree.

Tennessee.

TENNESSEE.

From Dover, via Kukman's Furnace, and Paris Landing, to Paris.

From Clarksville, via Providence, and Jordan's Spring, to Garrettsburg, Kentucky.

From Withe Depot, (on the Memphis and Ohio railroad,) via Hickory Withe, to Oakland.

From Rogersville, via Big Creek, Deep Springs, Hates' Mill, and Cedar Hill, to Holston Springs.

From Cunningham's, (on the Winchester and Alabama railroad,) via Oregon, to George's Store, in Lincoln county.

From a point on the Southern Central railroad to Campbellsville, in Giles county.

From Smithville, De Kalb county, via Laurel Hill, Buffalo Valley, and Mine Lick, to Cookeville, Putnam county.

From Freedom, Washington county, to Mill Creek.

From Dyersburg to Dyersburg Landing, on the Mississippi river, via Richwoods, Dyer county.

From Clarksville, Tennessee, to Cadiz, Kentucky, via Garrettsburg, Lafayette, and Roaring Spring, Kentucky.

TEXAS.

Texas.

From Indianola, Calhoun county, via Green Lake and Kemper's Bluff, to Goliad.

From Hemstead, in Austin county, via Buckhorn, Bellville, Forkstown, Industry, New Ulm, and Frelsburg, to Columbus.

From Cora to Comanche, in Comanche county.

From Crockett, via Alabama, Houston county, Leona, Leon county, Wheelock, Robertson county, Port Sullivan, Milam county, and Cameron, to Belton, Bell county.

From Gainesville, Cook county, via Montague, Montague county, and Henrietta, Clay county, to Fort Belknap, Young county.

From Gainesville, to Decatur, Wise county.

From Decatur to Montague.

From Hamilton, Shelby county, via William P. Palley's, Sabine county, to San Augustine.

From Mount Pleasant, Titus county, to Paris, Lamar county.

From Paris to the mouth of Boggy, in Lamar county.

From Buchanan, via Monmouth Springs and Alvarado, to Waxahachie.

From Bonham, Fannin county, via Flag Spring, Ladonia, and Heart's Mill, to Sulphur Springs.

From Brownwood, via Lampassas Springs, to Austin City.

From Indianola, via Texanna, to Hallettsville.

From Owensville, Robertson county, to Cameron, in Milan county.

From Hillsboro', Hill county, via Crimea, Covington, and Buckannar, to Weatherford, Parker county.

From Austin, to some point on the overland mail stage route from Saint Louis to El Paso.

From Marshall, Harrison county, to Coffeerville, Upshur county.

From Weatherford, Parker county, via Veal's Station, Prairie Point, Denton, and Pilot Point, to Sherman, Grayson county.

From La Grange, Fayette county, to Evergreen, Washington county.

From Jefferson, via Coffeerville, Lafayette, and Pittsburg, to Quitman.

From Indianola, via Saluria, to Brazos Santiago, along the beach.

From Waco Village, via Buchanan, Fort Worth, and Denton, to connect with the overland mail either at Sherman or Gainesville.

UTAH.

Utah.

From Breckenridge to Great Salt Lake.

From Manti, San Pete county, via Ephraim, Limbri, and Mount Pleasant, to North Bend.

From Genoa, in Carson Valley, via Walker River Diggings, to Mono-ville.

From Brigham City, via Mendon, Cache county, Wellsville, Providence, Logan City, Smithfield, and Richmond, to Franklin City.

VERMONT.

Vermont.

From Newport, via Newport Centre, to North Troy.

From Waterford to Concord.

From Richmond, via Jericho Centre, to Jericho Corners.

From Warren, via East Warren, to West Roxbury.

From Sharon, via South Strafford, to Strafford.

From South Strafford to Copperas Hill.

From Richmond, through Huntington, and the east part of Starksboro', to Bristol.

Virginia.

VIRGINIA.

From Wardensville, Hardy county, Virginia, through Trout Run Valley, via Hanna, to Liberty Furnace, Shenandoah county, Virginia.

From Wise C. H., via Crane's Nest and Power's Mill, to Holly Creek.

From Williamsburg to Bigler's Mill.

From Upper Tract, via Mallon's and Harpold's Run, to Oak Flat.

From Bridle Creek, Grayson county, to Rye Valley, in Smyth county.

From Valley Head, Randolph county, to Addison, Webster county.

From Belfield, Greenville county, to Lawrenceville, Brunswick county.

From Kanawha C. H., via Briarport, to Peytona, Boone county.

From mouth of Poca, Putnam county, to Ransom's, on the Charleston and Ravenswood turnpike road.

From the mouth of Twenty Mile Creek, Kanawha county, connecting with Gauley Bridge and Newton route; thence up Ball Creek, to the head of Pond Gap Fork; thence with the county road to the Morris Fork of Blue Creek; thence down said fork to Main Blue Creek; thence down said Main Blue Creek to Mrs. Slack's; thence with the county road to the gap above Campbell's Creek; thence up the Kanawha river to the Kanawha Salines.

From Ritchie Court-house, via Thomas Goff's and Jonathan Bisses', in Ritchie county, and George Fling's, in Gilmer county, to De Kalb, Gilmer county.

From Richmond to West Point.

From West Point, by York river, to Norfolk.

From Cohick, King William county, to Urbanna, Middlesex county.

From West Point to Urbanna.

From Cappahosic, Gloucester county, to Matthews Court-house.

From Big Lick, Roanoke county, to Harper's, Franklin county.

[From] Brownstown (south side Kanawha river) to the Falls of Kanawha, Fayette county.

From the Central Depot, on the Virginia and Tennessee Railroad, to Tounarcy's Furnace, Floyd county.

From Clintonville to Falling Spring, Green Brier county.

From Jane Lew, Lewis county, via Cookman's Store and Johnstown, to Romaine's Mills, in Harrison county.

From Big Lick, on the Virginia and Tennessee R. R., in Roanoke county, via Cooper's and Bonbrook, to Rocky Mount, Franklin county.

Washington Territory.

WASHINGTON TERRITORY.

From Sebec to Sko-ko-mish.

From New Dungenesse, via False Dungenesse, via Neeah Bay, to Cape Flattery.

From Ebey's Landing, via Penn's Cove, via Oak Harbor, to McDonough's Island.

From Dalles, via Clickitat Valley, via Simcoe and Okinikaine.

From Oakland to Grey's Harbor.

From Olympia, via Head of Totten's, Eld's, and Hammersly's Inlets, to Oakland.

From Oakland, via North Bay, to Sebec.

From Arkada to Steilacoom.

From Seattle, via Meridian Prairie, to Ranger's Prairie.

From Seattle, via Salmon Bay, to Point Elliott.

From Colville to Similkaman.

From Colville to Pend d'Oreille Lake.

WISCONSIN.

Wisconsin.

From Pole Grove post office, Jackson county, to South Bend post office, Trempeleau county.

From Sparta, Monroe county, via Big Creek Ferry, Roaring Creek post office, in Jackson county, and Durand, to Prescott, in Pierce county.

From Wauzeka, Crawford county, to Viola post office, Richland county.

From Richland Centre, Richland county, via Rockbridge, East Henrietta, and Henrietta to Yuba.

From Townerville, Crawford county, via Rising Sun, thence west, crossing the Mississippi river, and via La Fayette, in Allemaquee county, Iowa, and Columbus, Milton, and Wakon, to Decorah, Iowa.

From Hudson, Saint Croix county, via Saint Joseph, Boardman, Apple River Bridge, Cylon, Erin Prairie, and Hammond, to Warren.

From Fountain City, Buffalo county, to Maxville, same county.

From Sumner, via Mondovi, Chippewa, Waubeck, Galla, and Trim-belle, to Prescott, in Pierce county.

From Waupaca, via Ogdensburg and Union, to Shaw-wa-no.

From Mishicot, Manitowoc county, via Franklin, Montpelier, Casco, and Ahaupée, in Kewaunee county, Clay Banks, and White Fish Bay, to Bailey's Harbor, Door county.

From Casco to Dykesville, Kewaunee county.

From Cambria, in Columbia county, to Kingston, Marquette county.

From Lake Mills, Jefferson county, via Milford and Aztalan, to Jeffer-son.

From Chippewa Falls, via Island Lake, to Superior, Douglas county.

From Sextonville, Richland county, via Ithaca, Neptune, Loyd, Caze-novia, to Wanewoc, Jeneau county.

From Green Bay, via Suamico, to Little Suamico.

From Edgerton, via Albion, Busseyville, to Fort Atkinson.

From Fond du Lac, via Foster and Waucousta, to Cascade, in Sheboy-gan county.

CHEROKEE NATION.

Cherokee Na-tion.

From Little Verdigris to Lenark Falls.

CHOCTAW NATION.

Choctaw Na-tion.

From Fort Washita, in the Choctaw Nation, via Burney Academy, to Gainesville, Cook county, Texas.

SEC. 2. *And be it further enacted*, That the Postmaster General shall be and he is hereby authorized to procure and furnish letter sheets with postage stamps impressed thereon, (combining in one both a sheet and envelope,) and to adopt such other improvements as may be deemed advis-able, from time to time, in connection with postage stamps or stamped envelopes for letters or newspapers, subject to the provision that such stamps or envelopes shall be sold at the cost of procuring and furnishing the same as near as may be, and to all other provisions of the eighth sec-tion of an act of Congress entitled "An act to establish certain post roads and for other purposes," approved August thirty-first, eighteen hundred and fifty-two.

Letter-sheets with postage-stamps impressed thereon may be furnished.

1852, ch. 113, § 8. Vol. x. p. 141.

SEC. 3. *And be it further enacted*, That the penalty of fifty dollars, provided by section eighth of an act of Congress entitled "An act to estab-lish certain post roads and for other purposes," approved March third, eighteen hundred and fifty-three, shall apply as well to the using of a stamp cut from a stamped letter or newspaper envelope as to the re-use of the envelope entire.

Penalty for using stamp cut from envelop.

1853, ch. 146, § 8. Vol. x. p. 256.

SEC. 4. *And be it further enacted*, That the fourth section of the act of Congress approved fifth August, eighteen hundred and fifty-four, entitled "An act making appropriations for the service of the Post Office Depart-

1854, ch. 270, § 4. Vol. x. p. 533.

ch. 270, § 4, (vol. x. p. 583,) continued to Aug. 5, 1860.

Messenger in office of Assistant Postmasters General. Vol. xi. p. 145.

Advertised letters, when to be returned as dead. 1825, ch. 64, § 26. Vol. iv. p. 109. 1851, ch. 20, § 5. Vol. ix. p. 590. Proviso. Post, p. 703.

Proviso.

Unclaimed money from dead letters, how applied.

Post, p. 703.

Report to be made.

Postage on dead letters returned.

Postage by private ship.

Post, p. 706.

Proviso.

Inconsistent provisions repealed.

Postage to be paid by regular dealers in newspapers, &c., on such papers.

Letter and newspaper delivery by carriers in New York.

Post, pp. 708, 704.

ment during the fiscal year ending the thirtieth June, eighteen hundred and fifty-five," be and the same is hereby continued from the fifth day of August, eighteen hundred and fifty-eight, to the fifth of August, eighteen hundred and sixty.

SEC. 5. *And be it further enacted,* That the joint resolution of Congress of eighteenth August, eighteen hundred and fifty-six, which provides that there shall be "one principal messenger in each of the bureaus of the several Executive Departments, at an annual salary of eight hundred and forty dollars each," shall be understood to embrace within its true scope and meaning the offices of the three Assistant Postmasters General, entitling each to a messenger at an annual salary of eight hundred and forty dollars.

SEC. 6. *And be it further enacted,* That letters which have been advertised under existing laws (vide section twenty-six, act of March three, eighteen hundred and twenty-five, and section five, act of March three, eighteen hundred and fifty-one) shall be returned to the Post Office Department as dead letters if unclaimed two months after the date of the advertisement: *Provided,* [That] letters at seaports intended for persons on board of certain designated vessels expected to arrive, and letters specially marked to be retained a longer period, shall be excepted from the operation of this act: *And provided further,* That said letters shall be returned under regulations to be prescribed by the Postmaster General.

SEC. 7. *And be it further enacted,* That the unclaimed money from dead letters, now appropriated to the use of the Department, under section twenty-six, act of March three, eighteen hundred and twenty-five, may be exclusively applied in future to promote the efficiency of the dead letter office, by providing for a more careful examination of letters, and the return of a larger number to the writers (whether with or without valuable enclosures): *Provided,* [That] said officer shall make a detailed report of his proceedings to Congress during the next session thereof.

SEC. 8. *And be it further enacted,* That upon all letters returned from the dead letter office there shall be charged the usual rates of postage, to be collected on delivery, and accounted for by postmasters in the same manner as other postages.

SEC. 9. *And be it further enacted,* That every letter or packet brought into the United States, or carried from one port therein to another in any private ship or vessel, shall be charged with five cents, if delivered at the post office where the same shall arrive; and if destined to be conveyed by post to any place, with two cents added to the ordinary rates of postage: *Provided,* That upon all letters or packets conveyed in whole or in part by steamers or steamships over any route upon which, or between ports or places between which, the mail is regularly conveyed in other vessels under contract with the Post Office Department, the same charge shall be levied, with the addition of two cents a letter or packet, as would have been levied if such letter or packet had been transmitted regularly through the mail.

SEC. 10. *And be it further enacted,* That all acts or parts of acts inconsistent with the provisions of the preceding section of this act be, and the same are hereby, repealed.

SEC. 11. *And be it further enacted,* That it shall be lawful for persons known as regular dealers in newspapers and periodicals to receive by mail such quantities of either as they may require, and to pay the postage thereon, as they may be received, at the same rates as regular subscribers to such publications: *Provided,* That the Postmaster General be authorized to establish a daily or semi-daily delivery of letters and newspapers by carriers, throughout a circuit of nine miles from the City Hall, in the City of New York, under the supervision of the Postmaster of New York, whenever, in his judgment, the revenue from such service shall defray the expense thereof.

SEC. 12. *And be it further enacted*, That maps, engravings, lithographs, or photographic prints, on rollers or in paper covers; books, bound or unbound, phonographic paper, and letter envelopes, shall be deemed **mailable matter**, and charged with postage by the weight of the package, not in any case to exceed four pounds, at the rate of one cent an ounce, or fraction of an ounce, to any place in the United States under fifteen hundred miles, and at the rate of two cents an ounce, or fraction of an ounce, over fifteen hundred miles, to be prepaid by postage stamps.

Maps, engravings, &c., mailable matter. Postage thereon.

Post, p. 704.

SEC. 13. *And be it further enacted*, That cards, blank or printed, blanks in packages weighing at least eight ounces, and seeds or cuttings, in packages not exceeding eight ounces in weight, shall also be deemed **mailable matter**, and charged with postage at the rate of one cent an ounce, or fraction of an ounce, to any place in the United States under fifteen hundred miles, and at the rate of two cents an ounce or fraction of an ounce, over fifteen hundred miles, to be prepaid by postage stamps.

Cards, &c., seeds, &c., mailable matter, Postage.

Post, p. 704.

SEC. 14. *And be it further enacted*, That the act of third of March, eighteen hundred and fifty-five, entitled "An act further to amend the act entitled 'An act to reduce and modify the rates of postage in the United States, and for other purposes,'" passed March third, eighteen hundred and fifty-one, be and the same is hereby so modified as to require the ten cent rate of postage to be prepaid on letters conveyed in the mail from any point in the United States east of the Rocky Mountains, to any State or Territory on the Pacific, and from any State or Territory on the Pacific to any point in the United States east of the Rocky Mountains. And all drop letters shall be prepaid by postage stamps.

Postage between east of Rocky Mountains and Pacific.

1855, ch. 173. Vol. x. p. 641.

On drop-letters to be prepaid by stamps.

SEC. 15. *And be it further enacted*, That the Postmaster General is hereby authorized and directed to advertise for proposals for the daily transportation of the entire mail, overland, between Saint Joseph, Missouri, or some other point on the Missouri river, connected by railroad with the East, which may be selected by the contractor, and Placerville, California, over the central route, the bids to be received till the first Monday of April, eighteen hundred and sixty-one, and the service to commence July first, eighteen hundred and sixty-one, or as soon thereafter as possible, and to terminate July first, eighteen hundred and sixty-five. And the Postmaster General is hereby directed to award the contract to the lowest responsible bidder furnishing ample guarantees of his ability and disposition to perform his contract: *Provided*, That the amount of his bid shall not exceed eight hundred thousand dollars per year: *Provided*, That the contractor shall supply Denver City and Great Salt Lake City at least semi-weekly without extra charge: *And provided, further*, That the letter and newspaper mail shall be carried through in twenty days, and the pamphlet, magazine, periodical, and public document mail in thirty-five days. But the Postmaster General may authorize the carrying of said pamphlet, magazine, periodical, and public document portion of the mail by steamship route, at least semi-monthly to San Francisco, if desired by the contractor, and if said service is performed at the contractor's expense: *And provided, further*, That the contractor shall not be required, in addition to the letter mail, to carry more of the newspaper mail by the twenty days schedule than will make the average weight of the whole mail one thousand pounds per day; and the remainder, if any, of the newspaper mail shall be carried on the thirty-five day schedule above provided for.

Overland mail to California. Proposals to be advertised.

See post. Ch. 73, § 9, p. 205.

Contract to lowest responsible bidder. Maximum of bid.

Denver City, &c.

Time of letter &c. mail.

Pamphlet, &c. mail.

Weight of newspaper mail limited.

SEC. 16. *And be it further enacted*, That the Postmaster General is hereby directed to extend the existing mail contract on route eight thousand and seventy-six, in the State of Texas, so that it will expire with connecting route twelve thousand five hundred and seventy-eight, known as the Butterfield route, provided it can be done at an additional expense not exceeding eighty thousand dollars per annum, and provide for a semi-weekly connection with the city of New Orleans, but the Post-

Mail-route 8076 in Texas.

The Butterfield route.

Newspaper postage between east of Rocky Mountains and Pacific, &c.

master General shall have the same authority over this route as over all others; and after said daily overland mail has gone into operation, the postage between any State or Territory east of the Rocky Mountains, and any State or Territory on the Pacific, on each newspaper, periodical, unsealed circular, or other article of printed matter, not exceeding three ounces in weight, shall be one cent, and for every additional ounce, or fraction of an ounce, one cent additional.

Cost of service, how paid.

SEC. 17. *And be it further enacted,* That the cost of the service on the routes named in this act shall be paid, after annual appropriation, by the Secretary of the Treasury, upon the certificate of the Postmaster General. And that the rate of letter postage between any State or Territory east of the Rocky Mountains, and any State or Territory on the Pacific coast, shall be ten cents per half ounce.

Letter postage between east of Rocky Mountains and the Pacific.

SEC. 18. *And be it further enacted,* That the Postmaster General is authorized to provide temporary steamship service by the nearest and most expeditious route between New York and San Francisco, at a cost not exceeding three hundred and fifty thousand dollars a year, reserving to the Government the privilege of annulling the contract, after the commencement of the overland service, upon sixty days' notice.

Steamers between New York and San Francisco.

SEC. 19. *And be it further enacted,* That the cost of the service authorized in the three preceding sections of this act, and that now performing on the inland routes numbered eight thousand nine hundred and eleven, twelve thousand eight hundred and one, twelve thousand five hundred and seventy-eight, and eight thousand and seventy-six, shall be paid, after annual appropriation, by the Secretary of the Treasury, upon the certificate of service from the Postmaster General, except so far as appropriations may already have been made for such service.

Service on certain routes, how to be paid.

APPROVED, February 27, 1861.

February 28, 1861. CHAP. LVIII. — *An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-two.*

Consular and diplomatic appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-two, namely:

Envoy, ministers, and commissioners.

For salaries of envoys extraordinary, ministers, and commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Austria, Brazil, Mexico, China, Chili, Peru, Portugal, Switzerland, Rome, Sardinia, Belgium, Holland, Denmark, Sweden, Turkey, New Granada, Bolivia, Ecuador, Venezuela, Guatemala, Nicaragua, Sandwich Islands, Costa Rica, Honduras, Argentine Confederation, Paraguay, and Japan, three hundred and one thousand dollars.

Secretaries of legation, &c.

For salaries of secretaries of legation, forty-three thousand three hundred and fifty dollars.

For salaries of assistant secretaries of legation at London and Paris, three thousand dollars.

For salary of the interpreter to the legation to China, five thousand dollars.

For salary of the secretary of legation to Turkey, acting as interpreter, three thousand dollars.

For compensation to the interpreter to the mission to Japan, two thousand five hundred dollars.

Contingent expenses of foreign intercourse.

For contingent expenses of all the missions abroad, forty thousand dollars.

For contingent expenses of foreign intercourse, forty thousand dollars.

For expenses of intercourse with the Barbary Powers, three thousand dollars. Barbary Powers.

For expenses of the consulates in the Turkish dominions, namely, interpreters, guards, and other expenses of the consulates at Constantinople, Smyrna, Candia, Alexandria, and Beirut, two thousand five hundred dollars. Turkish consulates.

For the relief and protection of American seamen in foreign countries, two hundred thousand dollars. Relief, &c. of seamen.

For expenses which may be incurred in acknowledging the services of the masters and crews of foreign vessels in rescuing citizens of the United States from shipwreck, ten thousand dollars.

For the purchase of blank books, stationery, arms of the United States, seals, presses, flags, and for the payment of postages and miscellaneous expenses of the consuls of the United States, thirty thousand dollars. Blank books, &c.

For office rent for those consuls-general, consuls, and commercial agents who are not allowed to trade, including loss by exchange thereon, twenty-seven thousand three hundred and seventy dollars. Office-rent of consuls-general, &c.

For salaries of consuls-general at Quebec, Calcutta, Alexandria, Havana, Constantinople, Frankfort-on-the-Main; consuls at Kanagawa and Nagasaki in Japan, Liverpool, London, Melbourne, Hong Kong, Glasgow, Mauritius, Singapore, Belfast, Cork, Dundee, Demarara, Halifax, Kingston, (Jamaica,) Leeds, Manchester, Nassau, (New Providence;) Southampton, Turk's Island, Prince Edward's Island, Havre, Paris, Marseilles, Bordeaux, La Rochelle, Lyons, Moscow, Odessa, Revel, St. Petersburg, Mantanzas, Trinidad de Cuba, Santiago de Cuba, San Juan, (Porto Rico,) Cadiz, Malaga, Ponce, (Porto Rico,) Trieste, Vienna, Aix-la-Chapelle, Canton, Shanghai, Fouchou, Amoy, Ningpo, Beirut, Smyrna, Jerusalem, Rotterdam, Amsterdam, Antwerp, Funchal, Oporto, St. Thomas, Elsinour, Genoa, Basle, Geneva, Messina, Naples, Palermo, Leipsic, Munich, Leghorn, Stuttgardt, Bremen, Hamburg, Tangiers, Tripoli, Tunis, Rio de Janeiro, Pernambuco, Vera Cruz, Acapulco, Callao, Valparaiso, Buenos Ayres, San Juan del Sur, Aspinwall, Panama, Laguayra, Honolulu, Lahaina, Cape-Town, Falkland Islands, Venice, Stettin, Candia, Cyprus, Batavia, Fayal, Santiago, (Cape de Verdes,) Saint Croix, Spezzia, Athens, Zanzibar, Bahia, Maranham Island, Para, Rio Grande, Matamoras, Mexico, (city,) Tampico, Paso del Norte, Tabasco, Paita, Tumbes, Talcahuano, Carthagena, Sabanillo, Omoa, Gyaquil, Cobija, Montevideo, Tahiti, Bay of Islands, Apia, Lanthala; commercial agents at San Juan del Norte, Port au Prince, San Domingo, (city,) St. Paul de Loando, (Angola,) Monrovia, Gaboon, Cape Haytien, Aux Cayes, and Amoor river, two hundred and seventy-four thousand seven hundred and fifty dollars; and the office of consul-general at Simoda is hereby abolished. And the salaries of the consuls at Kanagawa and Nagasaki, in Japan, shall be three thousand dollars each. Salaries of consuls-general and consuls.

For expenses incurred, under instructions from the Secretary of State, in bringing home from foreign countries persons charged with crime, and expenses incident thereto, ten thousand dollars. Persons charged with crime.

For interpreters to the consulates in China, four thousand five hundred dollars. Interpreters in China.

For salaries of the marshals for the consular courts in Japan, China, Siam, and Turkey, seven thousand dollars. Marshals in China.

For rent of prisons for American convicts in Japan, China, Siam, and Turkey, and for wages of the keepers of the same, nine thousand eight hundred dollars. Prisons in Japan, &c.

To enable the Secretary of State to have prepared and transmitted to the executives of the several States having boundaries with foreign States a competent number of authentic copies of the settlement of such boundaries, and the maps and charts relating thereto, and the evidence thereof in the State Department, ten thousand dollars. Boundaries of certain States.

Bringing home
seamen of ship
"Staghound."

To meet an extraordinary emergency which has arisen in bringing from Batavia twenty-four seamen of the ship "Staghound," charged with mutiny, nine thousand seven hundred and ninety-two dollars, or so much thereof as may be deemed just and fair; said sum to be expended under the direction of the Secretary of State.

APPROVED, February 28, 1861.

February 28, 1861. CHAP. LIX. — *An Act to provide a temporary Government for the Territory of Colorado.*

1863, ch. 70.
Post, p. 700.

Territory of
Colorado estab-
lished.

Boundaries.

Indian rights
preserved.

Indian terri-
tory excepted,
until, &c.

Territory may
be divided.

Governor.
Appointment,
term, powers, and
duties.

Secretary of
Territory, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the following limits, viz: commencing on the thirty-seventh parallel of north latitude, where the twenty-fifth meridian of longitude west from Washington crosses the same; thence north on said meridian to the forty-first parallel of north latitude; thence along said parallel west to the thirty-second meridian of longitude west from Washington; thence south on said meridian to the northern line of New Mexico; thence along the thirty-seventh parallel of north latitude to the place of beginning, be and the same is hereby erected into a temporary government by the name of the Territory of Colorado: *Provided,* That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any State or Territory; but all such territory shall be excepted out of the boundaries and constitute no part of the Territory of Colorado until said tribe shall signify their assent to the President of the United States to be included within the said Territory, or to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent for the Government to make if this act had never passed: *Provided further,* That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing said Territory into two or more Territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion thereof to any other Territory or State.

SEC. 2. *And be it further enacted,* That the executive power and authority in and over said Territory of Colorado shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The governor shall reside within said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian affairs, and shall approve all laws passed by the legislative assembly before they shall take effect; he may grant pardons for offences against the laws of said Territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of said Territory, and shall take care that the laws be faithfully executed.

SEC. 3. *And be it further enacted,* That there shall be a secretary of said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the legislative assembly hereinafter constituted, and all the acts and proceedings of the governor, in his executive department; he shall transmit one copy of the laws and one copy of the executive proceedings, on or before the first day of De-

ember in each year, to the President of the United States, and, at the same time, two copies of the laws to the Speaker of the House of Representatives and the President of the Senate for the use of Congress. And in case of the death, removal, or resignation, or other necessary absence of the governor from the Territory, the secretary shall have, and he is hereby authorized and required to execute and perform all the powers and duties of the governor during such vacancy or necessary absence, or until another governor shall be duly appointed to fill such vacancy.

When to act
as governor.

SEC. 4. *And be it further enacted,* That the legislative power and authority of said Territory shall be vested in the governor and a legislative assembly. The legislative assembly shall consist of a council and house of representatives. The council shall consist of nine members, which may be increased to thirteen, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The house of representatives shall consist of thirteen members, which may be increased to twenty-six, possessing the same qualifications as prescribed for members of the council, and whose term of service shall continue one year. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts for the election of the council and house of representatives, giving to each section of the Territory representation in the ratio of its population (Indians excepted) as nearly as may be; and the members of the council and of the house of representatives shall reside in, and be inhabitants of, the district for which they may be elected, respectively. Previous to the first election the governor shall cause a census or enumeration of the inhabitants of the several counties and districts of the Territory to be taken; and the first election shall be held at such time and places and be conducted in such manner as the governor shall appoint and direct; and he shall, at the same time, declare the number of the members of the council and house of representatives to which each of the counties or districts shall be entitled under this act. The number of persons authorized to be elected, having the highest number of votes in each of said council districts for members of the council, shall be declared by the governor to be duly elected to the council; and the person or persons authorized to be elected having the greatest number of votes for the house of representatives, equal to the number to which each county or district shall be entitled, shall be declared by the governor to be elected members of the house of representatives: *Provided,* That in case of a tie between two or more persons voted for, the governor shall order a new election, to supply the vacancy made by such tie. And the persons thus elected to the legislative assembly shall meet at such place and on such day as the governor shall appoint; but thereafter the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the council and house of representatives, according to the population, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the legislative assembly: *Provided,* That no one session shall exceed the term of forty days, except the first, which may be extended to sixty days, but no longer.

Legislative assembly.

Council.

House of representatives.

Apportionment.

Census.

Elections.

Proviso.

Length of sessions.

SEC. 5. *And be it further enacted,* That every free white male citizen of the United States above the age of twenty-one years, who shall have been a resident of said Territory at the time of the passage of this act, including those recognized as citizens by the treaty with the Republic of Mexico, concluded February two, eighteen hundred and forty-eight, and the treaty negotiated with the same country on the thirtieth day of December, eighteen hundred and fifty-three, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters and of holding office at all subsequent elections shall be such as shall be prescribed by the legislative assembly.

Voter's qualifications.

Vol. x. p. 1031.

Vol. ix. p. 922.

Power of legis-
lature.

SEC. 6. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of the act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents; nor shall any law be passed impairing the rights of private property; nor shall any discrimination be made in taxing different kinds of property; but all property subject to taxation shall be in proportion to the value of the property taxed.

Township, dis-
trict, and county
officers.

SEC. 7. *And be it further enacted*, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the Territory. The governor shall nominate and, by and with the advice and consent of the legislative council, appoint all officers not herein otherwise provided for; and in the first instance the governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the legislative assembly, and shall lay off the necessary districts for members of the council and house of representatives, and all other officers.

Members of legis-
lative assembly
not to hold cer-
tain offices.

SEC. 8. *And be it further enacted*, That no member of the legislative assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased, while he was a member, during the term for which he was elected, and for one year after the expiration of such term; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall hold any office under the government of said Territory.

Judicial power.

SEC. 9. *And be it further enacted*, That the judicial power of said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually; and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court at such time and place as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of the justices of the peace, shall be as limited by law: *Provided*, That justices of the peace and probate courts shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively, shall possess chancery as well as common law jurisdiction; and authority for redress of all wrongs committed against the Constitution or laws of the United States, or of the Territory, affecting persons or property. Each district court or the judge thereof shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of excep-

Supreme court.

District court.

Jurisdiction of
courts.

Of justices of
the peace and
probate courts.

Chancery juris-
diction.

Clerk and reg-
ister.

Writs of error,
&c.

tion, and appeals, shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decisions of said supreme court shall be allowed, and may be taken to the Supreme Court of the United States,

in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of the said district courts shall have and exercise the same jurisdiction, in all cases arising under the Constitution and laws of the United States, as is vested in the circuit and district courts of the United States; and the said supreme and district courts of the said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are grantable by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws, and writs of error and appeals in all such cases shall be made to the supreme court of said Territory the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the district courts of Oregon Territory received for similar services.

Habeas corpus.

Pay of clerk.

SEC. 10. *And be it further enacted,* That there shall be appointed an attorney for said Territory, who shall continue in office for four years, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the late Territory of Oregon. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, and who shall execute all processes issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States; he shall perform the duties, be subject to the same regulations and penalties, and be entitled to the same fees as the marshal of the district court of the United States for the late Territory of Oregon, and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

Attorney.

Marshal.

SEC. 11. *And be it further enacted,* That the governor, secretary, chief justice, and associate justices, attorney, and marshal, shall be nominated and, by and with the advice and consent of the Senate, appointed by the President of the United States. The governor and secretary to be appointed as aforesaid shall, before they act as such, respectively take an oath or affirmation before the district judge or some justice of the peace in the limits of said Territory duly authorized to administer oaths and affirmations by the laws now in force therein, or before the chief justice or some associate justice of the Supreme Court of the United States, to support the Constitution of the United States, and faithfully to discharge the duties of their respective offices, which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken; and such certificates shall be received and recorded by the secretary among the executive proceedings; and the chief justice and associate justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said governor or secretary, or some judge or justice of the peace of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the secretary, to be by him recorded as aforesaid; and afterwards the like oath or affirmation shall be taken, certified, and recorded in such manner and form as may be prescribed by law. The governor shall receive an annual salary of fifteen hundred dollars as governor, and one thousand dollars as superintendent of Indian affairs; the chief justice and associate justices shall each receive an annual salary of eighteen hundred dollars; the secretary shall receive an annual salary of eighteen hundred dollars. The said salaries shall be paid quarter-yearly at the Treasury of the United States. The members of the legislative assembly shall be entitled to receive three dollars each per day during their attendance at the session thereof, and three dollars

Governor, judges, &c. to be appointed by the President.

How qualified.

Salaries.

Pay of members of the assembly.

Contingent ex-
penses.

for every twenty miles travel in going to and returning from the said sessions, estimated according to the nearest usually travelled route. There shall be appropriated annually the sum of one thousand dollars, to be expended by the governor, to defray the contingent expenses of the Territory. There shall also be appropriated annually a sufficient sum, to be expended by the secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the legislative assembly, the printing of the laws, and other incidental expenses; and the secretary of the Territory shall annually account to the Secretary of the Treasury of the United States for the manner in which the aforesaid sum shall have been expended.

Sessions of
legislature.

SEC. 12. *And be it further enacted,* That the legislative assembly of the Territory of Colorado shall hold its first session at such time and place in said Territory as the governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the governor and legislative assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible; which place, however, shall thereafter be subject to be changed by the said governor and legislative assembly.

Delegate to
Congress.

SEC. 13. *And be it further enacted,* That a delegate to the House of Representatives of the United States, to serve during each Congress of the United States, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives. The first election shall be held at such time and places and be conducted in such manner as the governor shall appoint and direct; and at all subsequent elections the times, places, and manner of holding elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly.

School sections
reserved.

SEC. 14. *And be it further enacted,* That when the land in the said Territory shall be surveyed, under the direction of [the] Government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said Territory shall be and the same are hereby reserved for the purpose of being applied to schools in the States hereafter to be erected out of the same.

Judicial dis-
tricts and times
of holding courts.

SEC. 15. *And be it further enacted,* That temporarily, and until otherwise provided by law, the governor of said Territory may define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts by proclamation to be issued by him; but the legislative assembly at their first or any subsequent session may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

Constitution
and laws applica-
ble, &c.

SEC. 16. *And be it further enacted,* That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Colorado as elsewhere within the United States.

Surveyor-gen-
eral, duties, pay,
&c.

SEC. 17. *And be it further enacted,* That the President of the United States, by and with the advice and consent of the Senate, shall be and he is hereby authorized to appoint a surveyor general for Colorado, who shall locate his office at such place as the Secretary of the Interior shall from time to time direct, and whose duties, powers, obligations, responsibilities, compensation, and allowances for clerk hire, office rent, fuel, and incidental expenses, shall be the same as those of the surveyor general of New

Mexico, under the direction of the Secretary of the Interior, and such instructions as he may from time to time deem it advisable to give him.

APPROVED, February 28, 1861.

CHAP. LX. — *An Act to amend an Act supplementary to an Act approved March third, eighteen hundred and fifty-five, to organize an Institution for the Insane of the Army and Navy and of the District of Columbia in the said District, approved February the seventh, eighteen hundred and fifty-seven.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as a substitute for the second section of the supplementary act aforesaid, which is hereby repealed, the Secretary of the Interior shall have power to grant his order for the admission into the Government Hospital for the Insane of any insane person not charged with a breach of the peace, upon (1) the certificate of any Judge of the Circuit or Criminal Court for the District of Columbia, or of any justice of the peace of the District, stating that two respectable physicians, resident of the District, appeared before said judge or justice and certified under oath, and under their hands, that they knew the person alleged to be insane, and that, from personal examination, they believed him or her to be insane and a fit subject for treatment in said hospital, and that he or she was a resident of the District at the time he or she was seized with the mental disorder under which he or she then labored; also stating that two respectable householders, residents of the District, appeared before him, the said judge or justice, and certified under oath and under their hands that they knew the person alleged to be insane, and that, from a personal examination into his or her affairs, they believe him or her to be unable to support himself or herself and family, (or himself or herself, if he or she have no family,) under the visitation of insanity, and to pay his or her board and other expenses in said hospital, and the certificate under oath of such physicians and of such householders shall accompany the certificate of such judge or justice; and (2) upon an application requesting that such order may be issued, made in writing, within five days after the date of the affidavits aforesaid, by a member of the Board of Visitors of said hospital, upon an inspection of said affidavits and certificate thereto, and it will be the duty of said visitor to withhold his application if he has reason to doubt the indigence of the party in whose behalf the application is desired, till such doubt is removed by testimony satisfactory to said visitor.

SEC. 2. *And be it further enacted,* That, if it shall appear in the case of any insane person whose insanity commenced while he or she was a resident of the District of Columbia that he or she is able to defray a portion but not the whole of the expenses of his or her support and treatment in the Government Hospital for the Insane, then the Board of Visitors of the said hospital is authorized to inquire into the facts of the case; and if it shall appear to said board, upon such inquiry, that such insane person has property and no family, or more property than is required for the support of his or her family, then, as a condition upon which such insane person, admitted or to be admitted upon the order of the Secretary of the Interior, shall receive or continue to receive the benefits of said hospital, there shall be paid to the Superintendent from the income, property, or estate of such insane person such portion of his expenses in said hospital as a majority of the said board shall determine to be just and reasonable, under all the circumstances.

APPROVED, February 28, 1861.

February 28, 1861

1855, ch. 199.

Vol. x. p. 682.

1857, ch. 36.

Vol. xi. p. 157.

Act of 1857, ch. 36, § 2, repealed.

Rules for admission to Insane Asylum of the District of Columbia.

Proceedings when insane persons have property.

CHAP. LXI. — *An Act in Relation to the Postal Service.*

February 28, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever, in the opinion

Postmaster-General may discontinue certain post-routes, when, &c.

of the Postmaster General, the postal service cannot be safely continued, or the post office revenues collected, or the postal laws maintained, on any post route, by reason of any cause whatsoever, the Postmaster General is hereby authorized to discontinue the postal service on such route, or any part thereof, and any post offices thereon, till the same can be safely restored, and shall report his action to Congress.

APPROVED, February 28, 1861.

March 2, 1861.

Pub. Res. No. 15. Post, 252.

President may borrow, within twelve months, not over \$10,000,000.

How to be applied.

When to be redeemed.

Stock, issue, certificates, rate of interest, transfer.

Certificate to be for not less than \$1000.

Coupons may be attached.

Proposals for loan to be advertised for.

Notice.

When to be opened.

Which to be accepted. Report to be made to Congress.

CHAP. LXVIII.—*An Act to provide for the Payment of outstanding Treasury Notes, to authorize a Loan, to regulate and fix the Duties on Imports, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and hereby is, authorized, at any time within twelve months from the passage of this act, to borrow, on the credit of the United States, a sum not exceeding ten millions of dollars, or so much thereof as, in his opinion, the exigencies of the public service may require, to be applied to the payment of appropriations made by law, and the balance of treasury notes now outstanding, and no other purposes, in addition to the money received or which may be received, into the treasury from other sources: *Provided,* That no stipulation or contract shall be made to prevent the United States from reimbursing any sum borrowed under the authority of this act at any time after the expiration of ten years from the first day of July next, by the United States giving three months' notice, to be published in some newspaper published at the seat of government, of their readiness to do so; and no contract shall be made to prevent the redemption of the same at any time after the expiration of twenty years from the said first day of July next, without notice.

SEC. 2. *And be it further enacted,* That stock shall be issued for the amount so borrowed, bearing interest not exceeding six per centum per annum; and the Secretary of the Treasury be, and is hereby, authorized, with the consent of the President, to cause certificates of stock to be prepared, which shall be signed by the Register and sealed with the seal of the Treasury Department, for the amount so borrowed, in favor of the parties lending the same, or their assigns, which certificates may be transferred on the books of the treasury, under such regulations as may be established by the Secretary of the Treasury: *Provided,* That no certificate shall be issued for a less sum than one thousand dollars: *And provided, also,* That, whenever required, the Secretary of the Treasury may cause coupons of semi-annual interest payable thereon to be attached to certificates issued under this act; and any certificate with such coupons of interest attached may be assigned and transferred by delivery of the same, instead of being transferred on the books of the treasury.

SEC. 3. *And be it further enacted,* That, before awarding any of said loan, the Secretary of the Treasury shall, as the exigencies of the public service require, cause to be inserted in two of the public newspapers of the city of Washington, and in one or more public newspapers in other cities of the United States, public notice that sealed proposals for so much of said loan as is required, will be received until a certain day, to be specified in such notice, not less than thirty days from its first insertion in a Washington newspaper; and such notice shall state the amount of the loan, at what periods the money shall be paid, if by instalments, and at what places. Such sealed proposals shall be opened, on the day appointed in the notice, in the presence of such persons as may choose to attend, and the proposals decided on by the Secretary of the Treasury, who shall accept the most favorable offered by responsible bidders for said stock. And the said Secretary shall report to Congress, at the commencement of the next session, the amount of money borrowed under this act, and of whom and on what terms it shall have been obtained, with an abstract or

brief statement of all the proposals submitted for the same, distinguishing between those accepted and those rejected, with a detailed statement of the expense of making such loans: *Provided*, That no stock shall be disposed of at less than its par value: *And provided, further*, That no part of the loan hereby authorized shall be applied to the service of the present fiscal year.

No stock to be sold for less than par. Loan, how applied.

SEC. 4. *And be it further enacted*, That in case the proposals made for said loan, or for so much thereof as the exigencies of the public service shall require, shall not be satisfactory, the President of the United States shall be, and hereby is, authorized to decline to accept such offer if for less than the par value of the bonds constituting the said stock, and in lieu thereof, and to the extent and amount of the loan authorized to be made by this act, to issue treasury notes for sums not less than fifty dollars, bearing interest at the rate of six per centum per annum, payable semi-annually on the first days of January and July in each year, at proper places of payment to be prescribed by the Secretary, with the approval of the President; and under the like circumstances and conditions, the President of the United States is hereby authorized to substitute treasury notes of equal amount for the whole or any part of any of the loans for which he is now by law authorized to contract and issue bonds. And the treasury notes so issued under the authority herein given, shall be received in payment for all debts due to the United States when offered, and in like manner shall be given in payment for any sum due from the United States, when payment in that mode is requested by the person to whom payment is to be made, or for their par value in coin. And the faith of the United States is hereby pledged for the due payment of the interest and the redemption of the principal of the stock or treasury notes which may be issued under the authority of this act; and the sum of twenty thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, to pay the expenses of preparing the certificates of stock or treasury notes herein authorized, to be done in the usual mode and under the restrictions as to employment and payment of officers contained in the laws authorizing former loans and issues of treasury notes; and it shall be at the option of holders of the treasury notes hereby authorized by this act, to exchange the same for the stock herein authorized, at par, or for bonds, in lieu of which said treasury notes were issued: *Provided*, That no certificate shall be exchanged for treasury notes, or bonds, in sums less than five hundred dollars: *And provided, further*, That the authority to issue the said treasury notes, or give the same in payment for debts due from the United States, shall be limited to the thirtieth day of June, eighteen hundred and sixty-two; and that the same may be redeemable at the pleasure of the United States at any time within two years after the passage of this act; and that said notes shall cease to bear interest after they shall have been called in by the Secretary of the Treasury under the provisions of this act.

If proposals for loan are not satisfactory, treasury notes may be issued.

Amount, when payable, &c.

Faith of the United States pledged.

Appropriation for expenses.

May be exchanged for bonds, &c.

Proviso.

Notes not to be issued after June, 1862.

Redemption.

Interest.

SEC. 5. *And be it further enacted*, That from and after the first day of April, Anno Domini eighteen hundred and sixty-one, in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied, collected, and paid, on the goods, wares, and merchandise, herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say:

Duties on foreign imports after April 1, 1861.

1862, ch. 33, § 5. *Post*, p. 346.

First: On raw sugar, commonly called Muscovada or brown sugar, not advanced beyond the raw state by claying or other process; and on sirup of sugar or of sugar cane, and concentrated molasses, or concentrated melado, and on white and clayed sugars, when advanced beyond the raw state by claying, or other process, and not refined, three fourths of one cent per pound; on refined sugars, whether loaf, lump, crushed, or pulverized, two cents per pound; on sugars, after being refined, when they

Sugars, syrups, and molasses.

1861, ch. 2. *Post*, p. 330.

are tintured, colored, or in any way adulterated, and on sugar candy, four cents per pound: *Provided*, That all sirups of sugar, or of sugar cane, concentrated molasses or melado, entered under the name of molasses, or any other name than sirup of sugar or of sugar cane, concentrated molasses, or concentrated melado, shall be liable to forfeiture to the United States; on molasses two cents per gallon; on confectionery of all kinds, not otherwise provided for, thirty per centum ad valorem.

SEC. 6. *And be it further enacted*, That from and after the day and year aforesaid there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties, that is to say:

First: On brandy, for first-proof, one dollar per gallon; on other spirits manufactured or distilled from grain, for first-proof, forty cents per gallon; on spirits from other materials, for first-proof, forty cents per gallon; on cordials and liquors of all kinds, fifty cents per gallon; on arrack, absynthe, kirschenwasser, ratafia, and other similar spirituous beverages not otherwise provided for, fifty cents per gallon: on bay rum, twenty-five cents per gallon: *Provided*, That the duty upon brandy spirits, and all other spirituous beverages herein enumerated, shall be collected upon the basis of first-proof, and so in proportion for any greater strength than the strength of first-proof; on wines of all kinds, forty per centum ad valorem: *Provided*, That all imitations of brandy, or spirits, or of any of the said wines, and all wines imported by any names whatever, shall be subject to the duty provided for the genuine article which it is intended to represent: *Provided, further*, That brandies, or other spirituous liquors may be imported in bottles, when the package shall contain not less than one dozen, and all bottles shall pay a separate duty, according to the rate established by this act, whether containing wines, brandies, or other spirituous liquors, subject to duty as hereinbefore mentioned; on ale, porter, and beer, in bottles, twenty-five cents per gallon; otherwise than in bottles, fifteen cents per gallon; on all spirituous liquors not enumerated, thirty-three and one-third per centum ad valorem.

Second: On cigars of all kinds, valued at five dollars or under per thousand, twenty cents per pound; over five dollars and not over ten, forty cents per pound; and over ten dollars, sixty cents per pound, and in addition thereto, ten per centum ad valorem; on snuff ten cents per pound; on unmanufactured tobacco, in leaf, twenty-five per centum ad valorem; on all other manufactured or unmanufactured tobacco, thirty per centum ad valorem.

SEC. 7. *And be it further enacted*, That from and after the day and year aforesaid there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties, that is to say:

First: On bar-iron, rolled or hammered, comprising flats not less than one inch, or more than seven inches wide, nor less than one quarter of an inch or more than two inches thick; rounds, not less than one-half an inch or more than four inches in diameter; and squares not less than one-half an inch or more than four inches square, fifteen dollars per ton: *Provided*, That all iron in slabs, blooms, loops or other forms, less finished than iron in bars and more advanced than pig-iron, except castings, shall be rated as iron in bars, and pay a duty accordingly: *And provided, further*, That none of the above iron shall pay a less rate of duty than twenty per centum ad valorem; on all iron imported in bars for railroads or inclined planes made to patterns and fitted to be laid down upon such roads or planes without further manufacture and not exceeding six inches high, twelve dollars per ton; on boiler plate iron, twenty dollars per ton; on iron wire drawn and finished, not more than one-fourth of one inch in diameter nor less than number sixteen wire gauge, seventy-five cents per one hundred pounds, and fifteen per centum ad valorem; over number

Proviso, — forfeiture.

Brandy, distilled spirits, cordials, &c.

Post, p. 294.

Duty to be collected on first-proof.

Imitations.

Post, p. 294.

When may be imported in bottles.

Not enumerated.

Cigars, snuff, and tobacco.

Bar-iron.

Proviso.

sixteen and not over number twenty-five wire gauge, one dollar and fifty cents per one hundred pounds and in addition fifteen per centum ad valorem; over or finer than number twenty-five wire gauge, two dollars per one hundred pounds and in addition fifteen per centum ad valorem; on all other descriptions of rolled or hammered iron not otherwise provided for, twenty dollars per ton.

Second: On iron in pigs, six dollars per ton; on vessels of cast-iron not otherwise provided for, and on sad-irons, tailors and hatters irons, stoves and stove plates, one cent per pound; on cast-iron steam, gas and water pipe, fifty cents per one hundred pounds; on cast-iron butts and hinges, two cents per pound; on hollow-ware, glazed or tinned, two cents and a half per pound; on all other castings of iron not otherwise provided for, twenty-five per centum ad valorem.

Fig-iron.

Third: On old scrap iron, six dollars per ton: *Provided*, That nothing shall be deemed old iron that has not been in actual use and fit only to be remanufactured.

Old scrap-iron.

Fourth: On band and hoop iron, slit rods not otherwise provided for, twenty dollars per ton; on cut nails and spikes, one cent per pound; on iron cables or chains, or parts thereof, and anvils, one dollar and twenty-five cents per one hundred pounds; on anchors, or parts thereof, one dollar and fifty cents per one hundred pounds; on wrought board nails, spikes, rivets, and bolts, two cents per pound; on bed screws and wrought hinges, one cent and a half per pound; on chains, trace chains, halter chains, and fence chains made of wire or rods one-half of one inch in diameter or over, one cent and a half per pound; under one-half of one inch in diameter, and not under one-fourth of one inch in diameter, two cents per pound; under one-fourth of one inch in diameter, and not under number nine wire gauge, two cents and a half per pound; under number nine wire gauge, twenty-five per centum ad valorem; on blacksmiths' hammers and sledges, axles or parts thereof, and malleable iron in castings not otherwise provided for, two cents per pound; on horse-shoe nails, three cents and a half per pound; on steam, gas, and water tubes and flues of wrought iron, two cents per pound; on wrought iron railroad chairs and on wrought iron nuts and washers, ready punched, twenty-five dollars per ton; on cut tacks, brads, and sprigs not exceeding sixteen ounces to the thousand, two cents per thousand; exceeding sixteen ounces to the thousand, two cents per pound.

Band and hoop-iron.

Fifth: On smooth or polished sheet iron by whatever name designated, two cents per pound; on other sheet iron, common or black not thinner than number twenty wire gauge, twenty dollars per ton; thinner than number twenty and not thinner than number twenty-five wire gauge, twenty-five dollars per ton; thinner than number twenty-five wire gauge, thirty dollars per ton; on tin plates galvanized, galvanized iron, or iron coated with zinc, two cents per pound; on mill irons and mill cranks of wrought iron, and wrought iron for ships, locomotives, locomotive tire, or parts thereof, and steam engines, or parts thereof, weighing each twenty-five pounds or more, one cent and a half per pound; on screws commonly called wood screws, two inches or over in length, five cents per pound; less than two inches in length, eight cents per pound; on screws washed or plated, and all other screws of iron or any other metal, thirty per centum ad valorem; on all manufactures of iron not otherwise provided for, thirty per centum ad valorem.

Smooth, &c. sheet-iron.

Post, p. 234.

Sixth: On all steel in ingots, bars, sheets, or wire not less than one fourth of one inch in diameter, valued at seven cents per pound or less, one and a half cent per pound; valued at above seven cents per pound and not above eleven cents per pound, two cents per pound; steel in any form not otherwise provided for, shall pay a duty of twenty per centum ad valorem; on steel wire less than one fourth of an inch in diameter, and not less than number sixteen wire gauge, two dollars per one hundred

Steel.

pounds, and in addition thereto fifteen per centum ad valorem; less or finer than number sixteen wire gauge, two dollars and fifty cents per one hundred pounds, and in addition thereto fifteen per centum ad valorem; on cross-cut saws, eight cents per lineal foot; on mill, pit, and drag saws, not over nine inches wide, twelve and a half cents per lineal foot; over nine inches wide, twenty cents per lineal foot; on skates costing twenty cents, or less per pair, six cents per pair; on those costing over twenty cents per pair, thirty per centum ad valorem; on all manufactures of steel or of which steel shall be a component part, not otherwise provided for, thirty per centum ad valorem: *Provided*, That all articles partially manufactured, not otherwise provided for, shall pay the same rate of duty as if wholly manufactured.

Articles partially manufactured.

Coal.

Seventh: On bituminous coal, one dollar per ton of twenty-eight bushels, eighty pounds to the bushel; on all other coal, fifty cents per ton of twenty-eight bushels, eighty pounds to the bushel; on coke and culm of coal, twenty-five per centum ad valorem.

SEC. 8. *And be it further enacted*, That from and after the day and year aforesaid there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties, that is to say:

Lead.

First: On lead in pigs and bars, one cent per pound; on old scrap lead fit only to be remanufactured, one cent per pound; on lead in sheets, pipes, or shot, one cent and a half per pound; on pewter when old and fit only to be remanufactured, one cent per pound.

Copper.

Second: On copper in pigs, bars, or ingots, two cents per pound; on copper when old and fit only to be remanufactured, one cent and a half per pound; on sheathing copper, in sheets forty-eight inches long and fourteen inches wide, and weighing from fourteen to thirty-four ounces the square foot, two cents per pound; on copper rods, bolts, nails, spikes, copper bottoms, copper in sheets or plates, called braziers' copper, and other sheets of copper not otherwise provided for, twenty-five per centum ad valorem; on zinc, spelter, or teutenegue, manufactured, in blocks or pigs, one dollar per hundred pounds; on zinc, spelter, or teutenegue, in sheets, one cent and a half per pound.

SEC. 9. *And be it further enacted*, That from and after the day and year aforesaid there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties, that is to say:

White lead, &c.

First: On white lead and oxide of zinc, dry or ground in oil, red lead, and litharge, one cent and a half per pound; on sugar of lead or acetate of lead and nitrate of lead, chromate and bichromate of potash, three cents per pound; on hydriodate, and prussiate of potash and chromic acid, and salts of iodine, and resublimed iodine, fifteen per centum ad valorem; on whiting, twenty-five cents per one hundred pounds; on Paris white, pipe clay, and ochres or ochrey earths not otherwise provided for, when dry, thirty-five cents per one hundred pounds; when ground in oil, one dollar and thirty-five cents per one hundred pounds; on umber, fifty cents per one hundred pounds; on putty, one cent per pound; on linseed, flaxseed, hempseed,

Linseed oil, &c.

and rapeseed oil, twenty cents per gallon; on kerosine oil, and all other coal oils, ten cents per gallon; on alum, alum substitute, sulphate of alumina and aluminous cake, fifty cents per one hundred pounds; on copperas, green vitriol, or sulphate of iron, twenty-five cents per one hundred pounds; on bleaching powders, fifteen cents per one hundred pounds; on refined camphor, six cents per pound; on refined borax, three cents per pound; on tallow, one cent per pound; on tallow-candles, two cents per pound;

Candles, &c.

on spermaceti or wax-candles and tapers, and on candles and tapers of spermaceti and wax combined, eight cents per pound; on stearine candles, and all other candles and tapers, four cents per pound; on spirits of turpentine, ten cents per gallon; on opium, one dollar per pound; on morphine and its salts, one dollar per ounce; on liquorice paste, or juice, three cents per pound.

SEC. 10. *And be it further enacted*, That from and after the day and year aforesaid there shall be levied, collected, and paid on the importation of the articles hereinafter mentioned, the following duties, that is to say :

First : On salt, four cents per bushel of fifty-six pounds : *Provided*, That salt imported in bags, or not in bulk, shall pay a duty of six cents per bushel of fifty-six pounds ; on bristles, four cents per pound ; on honey, ten cents per gallon ; on vinegar, six cents per gallon ; on mackerel, two dollars per barrel ; on herrings, pickled or salted, one dollar per barrel ; on pickled salmon, three dollars per barrel ; on all other fish pickled, in barrels, one dollar and fifty cents per barrel ; on all other foreign caught fish imported otherwise than in barrels or half barrels, or whether fresh, smoked, or dried, salted or pickled, not otherwise provided for, fifty cents per one hundred pounds.

Salt.

Second : On beef and pork, one cent per pound ; on hams and bacon, two cents per pound ; on cheese, four cents per pound ; on wheat, twenty cents per bushel ; on butter, four cents per pound ; on lard, two cents per pound ; on rye and barley, fifteen cents per bushel ; on Indian corn or maize, ten cents per bushel ; on oats, ten cents per bushel ; on potatoes, ten cents per bushel ; on cleaned rice, one cent per pound ; on uncleaned rice or paddy, fifty cents per one hundred pounds ; on sago and sago flour, fifty cents per one hundred pounds ; on flaxseed or linseed, sixteen cents per bushel of fifty-two pounds ; on hemp and rapeseed, ten cents per bushel of fifty-two pounds ; on raw hides and skins of all kinds, whether dried, salted, or pickled, not otherwise provided for, five per centum ad valorem.

Beef, pork,
corn, rice, &c.

SEC. 11. *And be it further enacted*, That from and after the day and year aforesaid there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties, that is to say :

First : On cassia, four cents per pound ; on cassia buds, eight cents per pound ; on cloves, four cents per pound ; on pepper, two cents per pound ; on Cayenne pepper, three cents per pound ; on ground Cayenne pepper, four cents per pound ; on pimento, two cents per pound ; on cinnamon, ten cents per pound ; on mace and nutmegs, fifteen cents per pound ; on prunes, two cents per pound ; on plums, one cent per pound ; on dates, one-half of one cent per pound ; on currants, two cents per pound ; on figs, three cents per pound ; on sultana, muscatel, and bloom raisins, either in boxes or jars, two cents per pound ; on all other raisins, one cent per pound ; on almonds, two cents per pound ; on shelled almonds, four cents per pound ; on all nuts not otherwise provided for, except those used for dyeing, one cent per pound.

Spices, cur-
rants, figs, nuts,
&c.

SEC. 12. *And be it further enacted*, That from and after the day and year aforesaid there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties, that is to say :

First : On all wool unmanufactured, and all hair of the alpaca, goat, and other like animals, unmanufactured, the value whereof at the last port or place from whence exported to the United States, shall be less than eighteen cents per pound, five per centum ad valorem ; exceeding eighteen cents per pound, and not exceeding twenty-four cents per pound, there shall be levied, collected, and paid, a duty of three cents per pound ; exceeding twenty-four cents per pound, there shall be levied, collected, and paid, a duty of nine cents per pound : *Provided*, That any wool of the sheep, or hair of the alpaca, the goat, and other like animals which shall be imported in any other than the ordinary condition, as now and heretofore practised, or which shall be changed in its character or condition for the purpose of evading the duty, or which shall be reduced in value by the admixture of dirt or any foreign substance to eighteen cents per pound or less, shall be subject to pay a duty of nine cents per pound, anything in this act to the contrary notwithstanding : *Provided, also*, That when wool of different qualities is imported in the same bale, bag or

Unmanufactur-
ed wool and hair.

Post, pp. 294,
559.

Mixed with
dirt, &c.

When different qualities are in same bale. package, and the aggregate value of the contents of the bale, bag, or package shall be appraised by the appraisers at a rate exceeding twenty-four cents per pound, it shall be charged with a duty of nine cents per pound: *Provided, further,* That if bales of different qualities are embraced in the same invoice, at the same price, whereby the average price shall be lessened more than ten per centum, the value of the whole shall be appraised according to the value of the bale of the best quality, and no bale or bales shall be liable to a less rate of duty in consequence of being invoiced with wool of lower value: *Provided, also,* That sheep skins, raw or unmanufactured, imported with the wool on, washed or unwashed, shall be subject to a duty of fifteen per centum ad valorem.

Bales of different qualities in same invoice.

Sheep-skins.

SEC. 13. *And be it further enacted,* That from and after the day and year aforesaid, there shall be levied, collected, and paid on the importation of the articles hereinafter mentioned the following duties, that is to say:

Carpets.

First: On Wilton, Saxony and Aubusson, Axminster patent velvet, Tournay velvet, and tapestry velvet carpets and carpeting, Brussels carpets wrought by the Jacquard machine, and all medallion or whole carpets, valued at one dollar and twenty-five cents or under per square yard, forty cents per square yard; valued at over one dollar and twenty-five cents per square yard, fifty cents per square yard: *Provided,* That no carpet or rugs of the above description shall pay a duty less than twenty-five per centum ad valorem; on Brussels and tapestry Brussels carpets and carpeting printed on the warp or otherwise, thirty cents per square yard; on all treble-ingrain and worsted-chain Venetian carpets and carpeting, twenty-five cents per square yard; on hemp or jute carpeting, four cents per square yard; on druggets, bockings, and felt carpets and carpeting printed, colored or otherwise, twenty cents per square yard; on all other kinds of carpets and carpeting of wool, flax or cotton, or parts of either, or other material not otherwise specified, a duty of thirty per centum ad valorem; *Provided,* That mats, rugs, screens, covers, hassocks, bedsides and other portions of carpets or carpeting shall pay the rate of duty herein imposed on carpets or carpeting of similar character; on all other mats, screens, hassocks, and rugs, a duty of thirty per centum ad valorem.

Mats, rugs, screens, &c.

Woollen cloths and manufactures of wool.

Second: On woollen cloths, woollen shawls, and all manufactures of wool of every description, made wholly or in part of wool, not otherwise provided for, a duty of twelve cents per pound, and in addition thereto twenty-five per centum ad valorem; on endless belts for paper, and blanketing for printing machines, twenty-five per centum ad valorem; on all flannels valued at thirty cents or less per square yard, twenty-five per centum ad valorem; valued above thirty cents per square yard, and on all flannels colored, printed, or plaided, and flannels composed in part of cotton or silk, thirty per centum ad valorem; on hats of wool, twenty per centum ad valorem; on woollen and worsted yarn, valued at fifty cents and not over one dollar per pound, twelve cents per pound, and in addition thereto fifteen per centum ad valorem; on woollen and worsted yarn, valued at over one dollar per pound, twelve cents per pound, and in addition thereto twenty-five per centum ad valorem; on woollen and worsted yarns, or yarns for carpets, valued under fifty cents per pound, and not exceeding in fineness number fourteen, twenty-five per centum ad valorem; exceeding number fourteen, thirty per centum ad valorem; on clothing ready made, and wearing apparel of every description, composed wholly or in part of wool, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, twelve cents per pound, and in addition thereto twenty-five per centum ad valorem; on blankets of all kinds, made wholly or in part of wool, valued at not exceeding twenty-eight cents per pound, there shall be charged a duty of six cents per pound, and in addition thereto ten per centum ad valorem; on all valued

Yarns.

Post, p. 294.

Blankets.

above twenty-eight cents per pound, but not exceeding forty cents per pound, there shall be charged a duty of six cents per pound, and in addition thereto twenty-five per centum ad valorem; on all valued above forty cents per pound there shall be charged a duty of twelve cents per pound, and in addition thereto twenty per centum ad valorem; on woollen shawls, or shawls of which wool shall be the chief component material, a duty of sixteen cents per pound, and in addition thereto twenty per centum ad valorem.

Shawls.
Pub. Res. No.
15. *Post*, p. 252.

Third: On all delaines, Cashmere delaines, muslin delaines, barege delaines, composed wholly or in part of wool, gray or uncolored, and on all other gray or uncolored goods of similar description, twenty-five per centum ad valorem; on hunting, and on all stained, colored, or printed, and on all other manufactures of wool, or of which wool shall be a component material, not otherwise provided for, thirty per centum ad valorem.

Delaines.
Post, p. 294.

Fourth: On oil-cloth, for floors, stamped, painted, or printed, valued at fifty cents or less per square yard, twenty per centum ad valorem; valued at over fifty cents per square yard, and on all other oil-cloth, thirty per centum ad valorem.

Oil and floor-cloths.

SEC. 14. *And be it further enacted*, That from and after the day and year aforesaid, there shall be levied, collected, and paid on the importation of the articles hereinafter mentioned the following duties, that is to say:

First: On all manufactures of cotton not bleached, colored, stained, painted, or printed, and not exceeding one hundred threads to the square inch, counting the warp and filling, and exceeding in weight five ounces per square yard, one cent per square yard; on finer or lighter goods of like description, not exceeding one hundred and forty threads to the square inch, counting the warp and filling, two cents per square yard; on goods of like description, exceeding one hundred and forty threads, and not exceeding two hundred threads to the square inch, counting the warp and filling, three cents per square yard; on like goods exceeding two hundred threads to the square inch, counting the warp and filling, four cents per square yard; on all goods embraced in the foregoing schedules, if bleached, there shall be levied, collected, and paid an additional duty of one-half of one cent per square yard; and if printed, painted, colored, or stained, there shall be levied, collected, and paid a duty of ten per centum in addition to the rates of duty provided in the foregoing schedules: *Provided*, That upon all plain woven cotton goods not included in the foregoing schedules, and upon cotton goods of every description, the value of which shall exceed sixteen cents per square yard, there shall be levied, collected, and paid a duty of twenty-five per centum ad valorem: *And provided, further*, That no cotton goods having more than two hundred threads to the square inch, counting the warp and filling, shall be admitted to a less rate of duty than is provided for goods which are of that number of threads.

Manufactures of cotton, unbleached, &c.

Post, p. 294.
Plain-woven cotton goods.

Cotton goods with more than 200 threads to square inch.

Second: On spool and other thread of cotton, thirty per centum ad valorem.

Cotton thread

Third: On shirts and drawers, wove or made on frames composed wholly of cotton and cotton velvet, twenty-five per centum ad valorem; and on all manufactures composed wholly of cotton, bleached, unbleached, printed, painted, or dyed, not otherwise provided for, thirty per centum ad valorem.

Shirts &c. made frames, &c.
Cotton velvet, and manufactures not otherwise provided for.

Fourth: On all brown or bleached linens, ducks, canvas paddings, cot-bottoms, burlaps, drills, coatings, brown Hollands, blay linens, damasks, diapers, crash, huckabacks, handkerchiefs, lawns, or other manufactures of flax, jute, or hemp, [or of which flax, jute, or hemp] shall be the component material of chief value, being of the value of thirty cents and under per square yard, twenty-five per centum ad valorem; valued above thirty

Linens, duck, &c.

cents per square yard, thirty per centum ad valorem; on flax or linen threads, twine and pack-thread, and all other manufactures of flax, or of which flax shall be the component material of chief value, and not otherwise provided for, thirty per centum ad valorem.

SEC. 15. *And be it further enacted*, That from and after the day and year aforesaid there shall be levied, collected, and paid on the importation of the articles hereinafter mentioned the following duties, that is to say :

Hemp.

First: On unmanufactured hemp, thirty-five dollars per ton; on Manilla, and other hems of India, fifteen dollars per ton; on jute, Sisal grass, sun hemp, coir, and other vegetable substances not enumerated, used for cordage, ten dollars per ton; on jute butts, five dollars per ton; on codilla or tow of hemp, ten dollars per ton; on tarred cables or cordage, two cents and a half per pound; on untarred Manilla cordage, two cents per pound; on all other untarred cordage, three cents per pound; on yarns, four cents per pound; on coir yarn, one cent per pound; on seines, six cents per pound; on cotton bagging, or any other manufacture not otherwise provided for, suitable for the uses to which cotton bagging is applied, whether composed in whole or in part of hemp, jute, or flax, or any other material valued at less than ten cents per square yard, one cent and a half per pound; over ten cents per square yard, two cents per pound; on sail duck, twenty-five per centum ad valorem; on Russia and other sheetings, brown and white, twenty-five per centum ad valorem; and on all other manufactures of hemp, or of which hemp shall be a component part, not otherwise provided for, twenty per centum ad valorem;

Cordage.

Post, p. 294.
Cotton bagging.

Sheetings.

Post, p. 294.
Other manufactures of hemp.

Flax.

Post, p. 294.

on unmanufactured flax, fifteen dollars per ton; on tow of flax, five dollars per ton; on grass cloth, twenty-five per centum ad valorem; on jute goods, fifteen per centum ad valorem; on all other manufactures of jute or Sisal grass, not otherwise provided for, twenty per centum ad valorem.

SEC. 16. *And be it further enacted*, That from and after the day and year aforesaid, there shall be levied, collected, and paid on the importation of the articles hereinafter mentioned, the following duties, that is to say :

Silk and silks.

First: On silk in the gum, not more advanced in manufacture than singles, tram, and thrown or organzine, fifteen per centum ad valorem; on all silks valued at not over one dollar per square yard, twenty per centum ad valorem; on all silks valued at over one dollar per square yard, thirty per centum ad valorem; on all silk velvets, or velvets of which silk is the component material of chief value, valued at three dollars per square yard, or under, twenty-five per centum ad valorem; valued at over three dollars per square yard, thirty per centum ad valorem; on floss silks, twenty per centum ad valorem; on silk ribbons, galloons, braids, fringes, laces, tassels, buttons, button cloths, trimmings, and on silk twist, twist composed of mohair and silk, sewing silk in the gum or purified, and all other manufactures of silk, or of which silk shall be the component material of chief value, not otherwise provided for, thirty per centum ad valorem.

SEC. 17. *And be it further enacted*, That from and after the day and year aforesaid there shall be levied, collected, and paid on the importation of the articles hereinafter mentioned, the following duties, that is to say :

Glass.

First: On rough plate, cylinder, or broad window glass, not exceeding ten by fifteen inches, one cent per square foot; above that, and not exceeding sixteen by twenty-four inches, one cent and a half per square foot; above that, and not exceeding twenty-four by thirty inches, two cents per square foot; all above that, and not exceeding in weight one pound per square foot, three cents per square foot: *Provided*, That all glass imported in sheets or tables, without reference to size or form, shall pay the highest duty herein imposed: *And provided, further*, That all rough plate cylinder, [or] broad glass, weighing over one hundred pounds per one hundred square feet, shall pay an additional duty on the excess at the same rates as

In sheets.

Rough plate cylinder.

herein imposed; on crown, plate, or polished, and on all other window glass not exceeding ten by fifteen inches, one cent and a half per square foot; above that, and not exceeding sixteen by twenty-four inches, two cents and a half per square foot; above that, and not exceeding twenty-four by thirty inches, four cents per square foot; all above that, five cents per square foot: *Provided*, That all crown, plate, or polished, and all other window glass weighing over one hundred and fifty pounds per one hundred square feet shall pay an additional duty on such excess of four cents per pound; on all plain and mould and press glassware, not cut, engraved, or painted, twenty-five per centum ad valorem; on all articles of glass, cut, engraved, painted, colored, printed, stained, silvered, or gilded, thirty per centum ad valorem; on porcelain and Bohemian glass, glass crystals for watches, paintings on glass or glasses, pebbles for spectacles, and all manufactures of glass, or of which glass shall be a component material, not otherwise provided for, and all glass bottles or jars filled with sweetmeats, preserves, or other articles, thirty per centum ad valorem.

Window glass.

Proviso.

Glassware.

Porcelain glass.

Second: On China and porcelain ware of all descriptions, thirty per centum ad valorem; on all brown earthen and common stone ware, twenty per centum ad valorem; on all other earthen, stone, or crockery ware, printed, white, glazed, edged, painted, dipped, or cream colored, composed of earthy or mineral substances, twenty-five per centum ad valorem.

China and porcelain ware.

Earthen and stone ware.

SEC. 18. *And be it further enacted*, That from and after the day and year aforesaid, there shall be levied, collected, and paid on the importation of the articles hereinafter mentioned, the following duties, that is to say: On all books, periodicals and pamphlets and all printed matter and illustrated books and papers, and on watches and parts of watches, and watch materials, and unfinished parts of watches, fifteen per centum ad valorem.

Books, periodicals, and pamphlets.

SEC. 19. *And be it further enacted*, That from and after the day and year aforesaid there shall be levied, collected, and paid a duty of ten per centum on the importation of the articles hereinafter mentioned and embraced in this section, that is to say:

Articles paying a duty of ten per centum.

Acids, nitric, yellow and white, oxalic, and all other acids of every description used for medicinal purposes or in the fine arts, not otherwise provided for;

- Aloes;
- Amber;
- Ammonia, sal ammonia, muriate and carbonate of ammonia;
- Anise seed;
- Arrowroot;
- Assafetida;
- Bamboos;
- Barks of all kinds not otherwise provided for;
- Beeswax;
- Black lead, or plumbago;
- Borate of lime;
- Brass, in pigs or bars, or when old and fit only to be remanufactured;
- Brazil paste;
- Bronze liquor;
- Building stones;
- Cantharides;
- Castor beans or seeds;
- Chronometers, box or ship's, and parts thereof;
- Cocculus indicus;
- Compositions of glass or paste, not set, intended for use by jewellers;
- Corneal;
- Diamonds, glaziers', set or not set;
- Dutch and bronze metal, in leaf;

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Engravings or plates, bound or unbound ;
 Ergot ;
 Flocks, waste, or shoddy ;
 Fruit, green, ripe, or dried, not otherwise provided for ;
 Furs, dressed or undressed, when on the skin ;
 Furs, hatters', dressed or undressed, when not on the skin ;
 Gamboge ;
 Ginger, ground, preserved, or pickled ;
 Glass plates or disks, unwrought, for optical instruments ;
 Goldbeaters' skin ;
 Green turtle ;
 Grindstones, wrought or finished ;
 Gum copal ;
 Gum substitute, or burnt starch ;
 Hair of all kinds, cleaned, but unmanufactured, not otherwise provided
 for ;
 Hops ;
 Horns, horn-tips, bones, bone-tips, and teeth, manufactured ;
 Iodine, crude ;
 Ipecacuanha ;
 Iron liquor ;
 Jalap ;
 Juniper berries ;
 Lemon and lime juice ;
 Lime ;
 Manganese ;
 Manna ;
 Marrow and all other grease, and soap stocks and soap stuffs ;
 Mineral kermes ;
 Moss, Iceland ;
 Music, printed with lines, bound or unbound ;
 Oatmeal ;
 Oils, palm, seal, and cocoa-nut ;
 Olive oil in casks, other than salad oil ;
 Oranges, lemons, and limes ;
 Orange and lemon peel ;
 Paintings and statuary, not otherwise provided for ;
 Paving stones ;
 Pearl or hulled barley ;
 Peruvian bark ;
 Plaster of Paris, when ground ;
 Prussian blue ;
 Quicksilver ;
 Rhubarb ;
 Rye flour ;
 Saffron and saffron cake ;
 Saltpetre, or nitrate of soda, or potash, when refined or partially refined
 Salts of tin ;
 Sarsaparilla ;
 Sepia ;
 Shaddock ;
 Sheathing paper ;
 Sponges ;
 Spunk ;
 Squills ;
 Tapioca ;
 Tagger's iron ;
 Teazels ;
 Terne tin, in plates or sheets ;

Tin-foil ;
 Tin, in plates or sheets ;
 Vanilla beans ;
 Vegetables, not otherwise provided for ;
 Verdigris ;
 Yams.

SEC. 20. *And be it further enacted*, That from and after the day and year aforesaid there shall be levied, collected, and paid a duty of twenty per centum on the importation of the articles hereinafter mentioned and embraced in this section, that is to say: Articles paying a duty of twenty per centum.

Antimony, tartrate of ;
 Acids, citric and tartaric ;
 Blank books, bound or unbound ;
 Blue or Roman vitriol, or sulphate of copper ;
 Boards, planks, staves, laths, scantling, spars, hewn and sawed timber, and timber used in building wharves ;
 Brick, fire-brick, and roofing and paving tile, not otherwise provided for ;
 Brimstone, in rolls ;
 Bronze powder ;
 Burgundy pitch ;
 Burr stones, manufactured or bound up into millstones ;
 Calomel ;
 Castor oil ;
 Castorum ;
 Chicory root ;
 Chocolate ;
 Chromate of lead ;
 Corks ;
 Cotton laces, cotton insertings, cotton trimming laces, and cotton braids ;
 Cowhage down ;
 Cubebs ;
 Dried pulp ;
 Ether ;
 Feather beds, feathers for beds, and downs of all kinds ;
 Feldspar ;
 Fig-blue ;
 Firewood ;
 Fish glue, or isinglass ;
 Fish skins ;
 Flour of sulphur ;
 Frankfort black ;
 Fulminates, or fulminating powders ;
 Glue ;
 Gold and silver leaf ;
 Grapes ;
 Gunpowder ;
 Hair, curled, moss, seaweed, and all other vegetable substances used for beds or mattresses ;
 Hat bodies, made of wool, or of which wool is the component material of chief value ;
 Hatters plush, composed of silk and cotton, but of which cotton is the component material of chief value ;
 Lampblack ;
 Leather, tanned, bend, or sole ;
 Leather, upper, of all kinds, except tanned calfskin, which shall pay twenty-five per centum ad valorem ;
 Magnesia ;
 Malt ;
 Mats of cocoa-nut ;

Matting, China, and other floor matting, and mats made of flags, jute, or grass ;

Mercurial preparations, not otherwise provided for ;

Medicinal roots and leaves, and all other drugs and medicines in a crude state, not otherwise provided for ;

Metals, unmanufactured, not otherwise provided for ;

Mineral and bituminous substances in a crude state, not otherwise provided for ;

Musical instruments of all kinds, and strings for musical instruments of whip gut, or catgut, and all other strings of the same material ;

Mustard, ground or manufactured ;

Needles of all kinds for sewing, darning, and knitting ;

Oils, neatsfoot and other animal oils, spermaceti, whale and other fish oil, the produce of foreign fisheries ;

Oils volatile, essential or expressed, not otherwise provided for ;

Osier or willow, prepared for basket-makers' use ;

Paints, dry or ground in oil, not otherwise provided for ;

Pitch ;

Plaster of Paris, calcined ;

Quills ;

Ratans and reeds, manufactured or partially manufactured ;

Red precipitate ; Roman cement ; rosin ;

Sal soda, hyposulphate of soda, and all carbonates of soda, by whatever name designated, not otherwise provided for ;

Salts, Epsom, Glauber, Rochelle, and all other salts and preparations of salts, not otherwise provided for ;

Shoes or boots, and other articles, composed wholly of India-rubber, not otherwise provided for ;

Skins, tanned and dressed, of all kinds ;

Spices of all kinds, not otherwise provided for ;

Spirits of turpentine ;

Starch ;

Stereotype plates ;

Still bottoms ;

Strychnine ;

Sulphate of barytes, crude or refined ;

Sulphate of magnesia ;

Sulphate of quinine ;

Tar ;

Thread laces, and insertings ;

Type metal ;

Types, new ;

Varnish of all kinds ;

Vandyke brown ;

Venetian red ;

Vermilion ;

Whalebone, the produce of foreign fisheries ;

White vitriol or sulphate of zinc ;

Wood unmanufactured, not otherwise provided for ;

Woollen listings.

Articles paying
a duty of five and
twenty-five per
centum.

SEC. 21. *And be it further enacted*, That from and after the day and year aforesaid, there shall be levied, collected, and paid on copper ore and diamonds, cameos, mosaics, gems, pearls, rubies, and other precious stones, when not set, a duty of five per centum ad valorem on the same ; when set in gold, silver or other metal, or on imitations thereof, and all other jewelry, twenty-five per centum ad valorem ; on hair cloth and hair seatings, and all other manufactures of hair, not otherwise provided for, twenty-five per centum ad valorem.

SEC. 22. *And be it further enacted*, That from and after the day

and year aforesaid, there shall be levied, collected, and paid a duty of thirty per centum on the importation of the articles hereinafter mentioned and embraced in this section, that is to say : Articles paying a duty of thirty per centum.

- Alabaster and spar ornaments ;
- Anchovies, sardines, and all other fish preserved in oil ;
- Argentine, alabatta, or German silver, manufactured or unmanufactured ;
- Articles embroidered with gold, silver, or other metal ;
- Articles worn by men, women, or children, of whatever material composed, made up, or made wholly or in part by hand, not otherwise provided for ;
- Asses' skins ;
- Balsams, cosmetics, essences, extracts, pastes, perfumes, and tinctures, used either for the toilet or for medicinal purposes ;
- Baskets, and all other articles composed of grass, ozier, palm leaf, straw, whalebone, or willow, not otherwise provided for ;
- Beads of amber, composition, or wax, and all beads ;
- Benzoates ;
- Bologna sausages ;
- Bracelets, braids, chains, curls, or ringlets, composed of hair, or of which hair is a component material ;
- Braces, suspenders, webbing, or other fabrics, composed wholly or in part of India-rubber, not otherwise provided for ;
- Brooms and brushes of all kinds ;
- Buttons and button moulds of all kinds ;
- Canes and sticks for walking, finished or unfinished ;
- Capers, pickles, and sauces of all kinds, not otherwise provided for ;
- Caps, hats, muffs, and tippets of fur, and all other manufactures of fur, or of which fur shall be a component material ;
- Caps, gloves, leggins, mits, socks, stockings, wove shirts and drawers, and all similar articles made on frames, of whatever material composed, worn by men, women, or children, and not otherwise provided for ;
- Carbonate of magnesia ;
- Card cases, pocket books, shell boxes, souvenirs, and all similar articles of whatever material composed ;
- Carriages and parts of carriages ;
- Clocks, and parts of clocks ;
- Clothing, ready-made, and wearing apparel of every description, of whatever material composed, except wool, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer ;
- Coach and harness furniture of all kinds, saddlery, coach and harness hardware, silver plated, brass, brass plated, or covered, common tinned, burnished or japanned, not otherwise provided for ;
- Combs of all kinds ;
- Compositions of glass or paste, when set ;
- Composition tops for tables, or other articles of furniture ;
- Comfits, sweetmeats, or fruits preserved in sugar, brandy, or molasses, not otherwise provided for ;
- Coral, cut or manufactured ;
- Cotton cords, gimps, and galloons ;
- Cotton laces, colored ;
- Court plaster ;
- Crayons of all kinds ;
- Cutlery of all kinds ;
- Dolls and toys of all kinds ;
- Encaustic tiles ;
- Epaulets, galloons, laces, knots, stars, tassels, tresses, and wings of gold, silver, or other metal ;
- Fans and fire-screens of every description, of whatever material composed ;

- Feathers and flowers, artificial or ornamental, and parts thereof, of whatever material composed ;
- Flats, braids, plaits, sparterre, and willow squares, used for making hats and bonnets ;
- Firecrackers ;
- Frames and sticks for umbrellas, parasols, and sunshades, finished or unfinished ;
- Furniture, cabinet and household ;
- Hair pencils ;
- Hat bodies of cotton ;
- Hats and bonnets for men, women, and children, composed of straw, chip, grass, palm leaf, willow, or any other vegetable substance, or of hair, whalebone, or other material, not otherwise provided for ;
- Human hair, cleansed or prepared for use ;
- Ink and ink powder ;
- Japanned, patent, or enamelled leather, or skins of all kinds ;
- Japanned ware of all kinds, not otherwise provided for ;
- Jet, and manufactures of jet, and imitations thereof ;
- Lead pencils ;
- Maccaroni, vermicelli, gelatine, jellies, and all similar preparations ;
- Manufactures of silk, or of which silk shall be a component material, not otherwise provided for ;
- Manufactures of the bark of the cork tree, except corks ;
- Manufactures of bone, shell, horn, ivory, or vegetable ivory ;
- Manufactures, articles, vessels, and wares not otherwise provided for, of brass, copper, gold, iron, lead, pewter, platina, silver, tin, or other metal, or of which either of these metals or any other metal shall be the component material of chief value ;
- Manufactures, not otherwise provided for, composed of mixed materials, in part of cotton, silk, wool, or worsted, or flax ;
- Manufactures of cotton, linen, silk, wool, or worsted, if embroidered or tamboured, in the loom or otherwise, by machinery or with the needle, or other process, not otherwise provided for ;
- Manufactures of cedar wood, granadilla, ebony, mahogany, rosewood, and satinwood ;
- Marble, in the rough or blocks, manufactures of marble, marble paving tiles, and all marble sawed, squared, dressed, or polished ;
- Manufactures and articles of leather, or of which leather shall be a component part, not otherwise provided for ;
- Manufactures of paper, or of which paper is a component material, not otherwise provided for ;
- Manufactures, articles, and wares, of papier mache ;
- Manufactures of goat's hair or mohair, or of which goat's hair or mohair shall be a component material, not otherwise provided for ;
- Manufactures of wood, or of which wood is the chief component part, not otherwise provided for ;
- Medicinal preparations, not otherwise provided for ;
- Metallic pens ;
- Mineral waters ;
- Muskets, rifles, and other fire-arms ;
- Oil-cloth of every description, of whatever material composed, not otherwise provided for ;
- Olive salad oil ;
- Olives ;
- Paper boxes, and all other fancy boxes ;
- Paper envelopes ;
- Paper hangings and paper for screens or fire-boards ; paper ; antiquarian, demy, drawing, elephant, foolscap, imperial letter, and all other paper not otherwise provided for ;

Parasols and sunshades ;
 Parchment ;
 Plated and gilt ware of all kinds ;
 Playing cards ;
 Prepared vegetables, meats, fish, poultry, and game, sealed or unsealed,
 in cans or otherwise ;
 Red chalk pencils ;
 Salmon, preserved ;
 Scagliola tops, for tables or other articles of furniture ;
 Sealing-wax ;
 Side arms of every description ;
 Silver-plated metal, in sheets or other form ;
 Slates, roofing slates, slate pencils, slate chimney pieces, mantels, slabs
 for tables, and all other manufactures of slate ;
 Soap, castile, perfumed, Windsor, and all other kinds ;
 Twines and packthread, of whatever material composed, not otherwise
 provided for ;
 Umbrellas ;
 Unwrought clay, three dollars per ton ;
 Vellum ; velvet, when printed or painted ;
 Wafers ; water colors ;
 Webbing composed of wool, cotton, flax, or any other materials.

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SEC. 23. *And be it further enacted*, That from and after the day and
 year aforesaid, the importation of the articles hereinafter mentioned and
 embraced in this section shall be exempt from duty, that is to say : Articles free of
 duty.

Acids, acetic, acetous, benzoic, boracic, muriatic, sulphuric, and pyrolig-
 neous, and all acids of every description used for chemical and manufac-
 turing purposes, not otherwise provided for ;

Alcornoque ;

All books, maps, charts, mathematical, nautical instruments, philosophical
 apparatus, and all other articles whatever, imported for the use of
 the United States ; all philosophical apparatus, instruments, books, maps,
 and charts, statues, statuary, busts and casts of marble, bronze, alabaster,
 or plaster of Paris ; paintings and drawings, etchings, specimens of sculp-
 ture, cabinets of coins, medals, regalia, gems, and all collections of antiqui-
 ties : *Provided*, The same be specially imported, in good faith, for the use
 of any society incorporated or established for philosophical, literary, or
 religious purposes, or for the encouragement of the fine arts, or for the use
 or by the order of any college, academy, school, or seminary of learning
 in the United States ; Proviso.

Ambergris ;

Annatto, Roncou or Orleans ;

Animal carbon, (bone black) ;

Animals, living, of all kinds ;

Antimony, crude or regulus of ;

Argol, or crude tartar ;

Arsenic ;

Articles in a crude state used in dyeing or tanning, not otherwise pro-
 vided for ;

Asphaltum ;

Bananas ;

Bark, Peruvian, or bark quilla ;

Barilla, and soda ash ;

Bells, old, and bell metal ;

Berries, nuts, flowers, plants, and vegetables used exclusively in dyeing
 or in composing dyes ; but no article shall be classed as such that has un-
 dergone any manufacture ;

Birds, singing or other, and land and water fowls ;

Bismuth ;

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Bitter apples ;
 Bolting cloths ;
 Bones, burnt, and bone-dust ;
 Books, maps, and charts imported by authority of the Joint Library Committee of Congress, for the use of the library of Congress : *Provided*, That if, in any case, a contract shall have been made with any bookseller, importer, or other person aforesaid, [and such person] shall have paid the duty or included the duty in said contract, in such case the duty shall be remitted ;
 Borax, crude, or tincal ;
 Boucho leaves ;
 Brazil wood, brazilletto, and all other dye-woods, in sticks ;
 Breccia, in blocks or slabs ;
 Brimstone, crude, in bulk ;
 Brime ;
 Bullion, gold and silver ;
 Burrstones, wrought or unwrought, but unmanufactured, and not bound up into millstones ;
 Cabinets of coins, medals, and all other collections of antiquities ;
 Cadmium ;
 Calamine ;
 Camphor, crude ;
 Chalk, French chalk, and red chalk ;
 Cochineal ;
 Cobalt ;
 Cocoa, cocoa shells, cocoa leaves, and cocoa-nuts ;
 Coffee and tea, when imported direct from the place of their growth or production, in American vessels, or in foreign vessels entitled by reciprocal treaties to be exempt from discriminating duties, tonnage, and other charges ;
 Coffee, the growth or production of the possessions of the Netherlands, imported from the Netherlands in the same manner ;
 Coins, gold, silver, and copper ;
 Copper, when imported for the United States Mint ;
 Cotton ;
 Cork-tree bark, unmanufactured ;
 Cream of tartar ;
 Cudbear, vegetable, and orchil ;
 Divi-divi ;
 Dragon's blood ;
 Emery, in lump or pulverized ;
 Extract of indigo ;
 Extract of madder ;
 Extract and decoctions of logwood, and other dye-woods, not otherwise provided for ;
 Felt, adhesive, for sheathing vessels ;
 Flints ; flint, ground ;
 Fish, fresh caught, for daily consumption ;
 Fullers' earth ;
 Ginger root ;
 Gum, Arabic, Barbary, East India, Jedda, Senegal, Tragacanth, Benjamine or Benzoin, myrrh, and all other gums and resins in a crude state, not otherwise provided for ;
 Guttapercha, unmanufactured ;
 Grindstones, rough or unfinished ;
 Garden seeds, and all other seeds for agricultural, horticultural, medicinal, and manufacturing purposes, not otherwise provided for ;
 Glass, when old, not in pieces which can be cut for use, and fit only to be remanufactured ;
 Goods, wares, and merchandise, the growth, production, or manufacture

1861, ch. 2.
 Post, p. 330.

of the United States, exported to a foreign country, and brought back to the United States in the same condition as when exported, upon which no drawback or bounty has been allowed: *Provided*, That all regulations to ascertain the identity thereof, prescribed by existing laws, or which may be prescribed by the Secretary of the Treasury, shall be complied with;

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Guano;

Household effects, old, and in use of persons or families from foreign countries, if used abroad by them and not intended for any other person or persons, or for sale;

Hair of all kinds, uncleaned and unmanufactured, and all long horse-hair used for weaving, cleaned or uncleaned, drawn or undrawn;

India-rubber, in bottles, slabs, or sheets, unmanufactured;

India-rubber, milk of;

Indigo;

Ice;

Iridium;

Iris, orris root;

Ivory, unmanufactured;

Ivory nuts, or vegetable ivory;

Junk, old, and oakum;

Kelp;

Lac dye;

Lac spirits;

Lac sulphur;

Lastings, mohair cloth, silk, twist, or other manufactures of cloth, cut in strips or patterns of the size and shape for shoes, slippers, boots, bootees, gaiters, and buttons, exclusively, not combined with India-rubber;

Leeches;

Liquorice root;

Madder, ground or prepared, and madder root;

Manuscripts;

Marine coral, unmanufactured;

Medals, of gold, silver, or copper;

Machinery, suitable for the manufacture of flax and linen goods only, and imported for that purpose solely, but not including that which may be used for any other manufactures;

Maps and charts;

Mineral blue;

Models of inventions, and other improvements in the arts: *Provided*, That no article or articles shall be deemed a model, or improvement which can be fitted for use;

What shall not be deemed models.

Munjeet or India madder;

Natron;

Nickel;

Nutgalls;

Nux vomica;

Oil, spermaceti, whale, and other fish, of American fisheries, and all other articles the produce of such fisheries;

Orpiment, or sulphuret of arsenic;

Post, p. 559.

Paintings and statuary, the production of American artists residing abroad: *Provided*, The same be imported in good faith as objects of taste and not of merchandise;

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Palm leaf, unmanufactured;

Pearl, mother of;

Personal and household effects, not merchandise, of citizens of the United States dying abroad;

Pine-apples;

Plantains;

Plaster of Paris, or sulphate of lime, unground;

Platina, unmanufactured ;
 Platina vases or retorts ;
 Polishing stones ;
 Pumice and pumice stones ;
 Quassia-wood ;
 Rags, of whatever material, except wool ;
 Ratans and reeds, unmanufactured ;
 Rottenstone ;
 Safflower ;
 Saltpetre, or nitrate of soda, or potash, when crude ;
 Sandal-wood ;
 Seedlac ;

Sheathing metal, or yellow metal, not wholly of copper, nor wholly or in part of iron, ungalvanized, in sheets forty-eight inches long, and fourteen inches wide, and weighing from fourteen to thirty-four ounces per square yard ;

Post, p. 294.

Shellac ;
 Shingle-bolts and stave-bolts ;
 Silk, raw, or as reeled from the cocoon, not being doubled, twisted, or advanced in manufacture any way, and silk cocoons, and silk waste ;
 Smalts ;
 Specimens of natural history, mineralogy, and botany ;
 Staves for pipes, hogsheds, or other casks ;
 Stoneware, not ornamented, above the capacity of ten gallons ;
 Substances expressly used for manure ;
 Sumac ;
 Terra japonica, catechu, or cutch ;
 Tin, in pigs, bars, or blocks ;
 Tortoise and other shell, unmanufactured ;
 Trees, shrubs, bulbs, plants, and roots, not otherwise provided for ;
 Turmeric ;
 Types, old, and fit only to be remanufactured ;

Wearing apparel in actual use, and other personal effects, (not merchandise,) professional books, implements, instruments, and tools of trade, occupation, or employment of persons arriving in the United States: *Provided*, That this exemption shall not be construed to include machinery, or other articles imported for use in any manufacturing establishment, or for sale ;

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Weld ;

Woad or pastel ;

Woods, namely : cedar, lignum-vitæ, lancewood, ebony, box, granadilla, mahogany, rosewood, satinwood, and all cabinet woods, unmanufactured ;

Wool, unmanufactured, and all hair of the goat, alpaca, and other like animals, unmanufactured, the value whereof at the last port or place from whence exported to the United States, shall be eighteen cents, or under, per pound.

See Pub. Res. No. 15, *post*, p. 252.

Duty on raw articles not enumerated.

SEC. 24. *And be it further enacted*, That from and after the day and year aforesaid there shall be levied, collected, and paid on the importation of all raw or unmanufactured articles, not herein enumerated or provided for, a duty of ten per centum ad valorem ; and on all articles manufactured in whole or in part, not herein enumerated or provided for, a duty of twenty per centum ad valorem.

Goods in public stores on April 1.

SEC. 25. *And be it further enacted*, That all goods, wares, and merchandise, which may be in the public stores on the day and year aforesaid, shall be subject to no other duty upon the entry thereof than if the same were imported respectively after that day.

Meaning of word "ton."

SEC. 26. *And be it further enacted*, That wherever the word "ton" is used in this act, in reference to weight, it shall be deemed and taken to be twenty hundred weight, each hundred weight being one hundred and twelve pounds avoirdupois.

SEC. 27. *And be it further enacted,* That railroad iron, partially or wholly worn, may be imported into the United States without payment of duty, under bond to be withdrawn and exported after the said railroad iron shall have been repaired or remanufactured; and the Secretary of the Treasury is hereby authorized and directed to prescribe such rules and regulations as may be necessary to protect the revenue against fraud, and secure the identity, character, and weight of all such importations when again withdrawn and exported, restricting and limiting the export and withdrawal to the same port of entry where imported, and also limiting all bonds to a period of time of not more than six months from the date of the importation.

Railroad iron.

SEC. 28. *And be it further enacted,* That in all cases where the duty upon any imports of goods, wares, or merchandise shall be subject to be levied upon the true market value of such imports in the principal markets of the country from whence the importation shall have been made, or at the port of exportation, the duty shall be estimated and collected upon the value on the day of actual shipment whenever a bill of lading shall be presented showing the date of shipment, and which shall be certified by a certificate of the United States consul, commercial agent, or other legally authorized deputy.

Market-value to be of the day of actual shipment.

SEC. 29. *And be it further enacted,* That the annual statistical accounts of the commerce of the United States with foreign countries, required by existing laws, shall hereafter be made up and completed by the Register of the Treasury, under the direction of the Secretary of the Treasury, so as to comprehend and include, in tabular form, the quantity by weight or measure, as well as the amount of value, of the several articles of foreign commerce, whether dutiable or otherwise; and also a similar and separate statement of the commerce of the United States with the British Provinces, under the late, so-called, reciprocity treaty with Great Britain.

Annual statistical accounts of foreign commerce — how to be made up.

SEC. 30. *And be it further enacted,* That from and after the day and year aforesaid, there shall be allowed a drawback on foreign hemp manufactured into cordage in the United States and exported therefrom, equal in amount to the duty paid on the foreign hemp from which it shall be manufactured, to be ascertained under such regulations as shall be prescribed by the Secretary of the Treasury, and no more: *Provided,* That ten per centum on the amount of all drawbacks so allowed shall be retained for the use of the United States by the collectors paying such drawbacks respectively.

Drawback on foreign hemp.

SEC. 31. *And be it further enacted,* That all acts and parts of acts repugnant to the provisions of this act, be, and the same are hereby, repealed: *Provided,* That the existing laws shall extend to, and be in force for, the collection of the duties imposed by this act, for the prosecution and punishment of all offences, and for the recovery, collection, distribution, and remission of all fines, penalties, and forfeitures, as fully and effectually as if every regulation, penalty, forfeiture, provision, clause, matter, and thing to that effect, in the existing laws contained, had been inserted in and reenacted by this act.

Repealing clause. Saving of existing laws as to collection, punishments, &c.

SEC. 32. *And be it further enacted,* That when merchandise of the same material or description, but of different values, are invoiced at an average price, and not otherwise provided for, the duty shall be assessed upon the whole invoice at the rate the highest valued goods in such invoice are subject to under this act. The words value and valued, used in this act, shall be construed and understood as meaning the true market value of the goods, wares, and merchandise in the principal markets of the country from whence exported at the date of exportation.

When goods of different values are in same invoice, duties how assessed.

SEC. 33. *And be it further enacted,* That all goods, wares, and merchandise actually on shipboard, and bound to the United States, within fifteen days after the passage of this act, and all goods, wares, and mer-

Goods on shipboard and in public warehouses.

chandise in deposit in warehouse or public store on the first day of April, eighteen hundred and sixty-one, shall be subject to pay such duties as provided by law before and at the time of the passage of this act; and all goods in warehouse at the time this act takes effect, on which the duties are lessened by its provisions, may be withdrawn on payment of the duties herein provided.

APPROVED, March 2, 1861.

March 2, 1861. CHAP. LXIX. — *An Act to provide for bringing up the Arrearages of Work of the Land Office at Olympia, Washington Territory.*

Clerical services in land-office at Olympia, W. T.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be authorized to make such allowances for clerical services in bringing up the arrearages of business at the land office at Olympia, Washington Territory, including payment of clerical services already necessarily incurred, as, on the production of the proper evidence, he may deem equitable and just, the amount not to exceed the sum of three thousand dollars, and to be paid out of the appropriation for incidental expenses of district land offices.

APPROVED, March 2, 1861.

March 2, 1861. CHAP. LXX. — *An Act to provide for the Payment of Expenses incurred by the Territories of Washington and Oregon in the Suppression of Indian Hostilities therein, in the Years eighteen hundred and fifty-five and eighteen hundred and fifty-six.*

Expenses of Indian hostilities in Washington and Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums, or so much thereof as may be necessary, be and they are hereby appropriated out of any money in the Treasury not otherwise appropriated, to defray the expenses incurred in the Territories of Washington and Oregon, in the suppression of Indian hostilities therein in the years eighteen hundred and fifty-five and eighteen hundred and fifty-six.

Pay of volunteers.

For the payment of volunteers, embracing the first, second, and ninth Oregon regiments, and the three companies of minute-men, numbered sixty, sixty-one, and sixty-two, and the first and second Washington regiments and promiscuous companies, including the companies of Captain Strong and Captain Hays, four hundred thousand dollars, after deducting stoppages as ascertained by the Third Auditor of the Treasury in his report of the seventh of February, eighteen hundred and sixty, made in pursuance of a resolution of the House of Representatives passed the eighth of February, eighteen hundred and fifty-nine; said claims to be examined and audited by the Third Auditor of the Treasury, who shall allow to said volunteers the same pay and allowances as were paid to officers and soldiers of equal grade at that period in the United States army serving in that country: *Provided,* That payment shall only be made to such of the above-named companies as shall be shown by satisfactory proof to have been engaged in actual service in the field for the period and in the manner claimed.

Payment to be made only for those in actual service.

Pay for maintenance of volunteers.

For the payment of claims for services, supplies, transportation, and so forth, incurred in the maintenance of said volunteers, two million four hundred thousand dollars, to be paid upon the principle, and agreeably to the rates for services, supplies, transportation, and so forth, allowed and reported by the Third Auditor of the Treasury in his aforesaid report of the seventh of February, eighteen hundred and sixty: *Provided,* That said Auditor be and he hereby is authorized and directed to receive additional evidence as to the amount or value of supplies, transportation, and personal services, and to correct errors in his former report touching the same; and in cases where supplies were furnished at points in either of said Territories, where similar supplies were not furnished for the

Proviso.

regular army during the hostilities in which said volunteers were engaged, he shall allow for such supplies the prices paid for similar supplies for the regular army at the most convenient point where army supplies were furnished during said time, adding thereto the cost of transportation to the place where such supplies were furnished to said volunteers: *And provided, further*, That no compensation shall be made for the services of any person in more than one capacity for the same time; and all payments made in pursuance of this act shall be received in full satisfaction and discharge of the claims upon which they are made.

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Payments to be in full of claims.

SEC. 2. *And be it further enacted*, That all claims for horses or other property lost or destroyed in said service shall be settled according to the act approved the third of March, eighteen hundred and forty-nine, providing for payment for horses or other property lost or destroyed in the military service of the United States.

Loss of horses.
1849, ch. 129.
Vol. ix. p. 414.

SEC. 3. *And be it further enacted*, That there be paid to Robert J. Atkinson, Third Auditor of the Treasury, for the duties heretofore performed by him in the investigation of said claims, the sum of one thousand dollars, out of any money in the Treasury not otherwise appropriated.

Payment to Robert J. Atkinson.

SEC. 4. *And be it further enacted*, That for the payment of claims provided for in this act, the Secretary of the Treasury may, if he deem it expedient, issue to the claimants, or their legal representatives, bonds of the United States of a denomination not less than fifty dollars, redeemable in twenty years, and bearing interest at the rate of six per cent. per annum, with coupons attached, and payable annually or semi-annually at the discretion of the Secretary of the Treasury.

Bonds may be issued for the payment of these claims.

APPROVED, March 2, 1861.

CHAP. LXXI. — *An Act for the Payment of Expenses incurred in the Suppression of Indian Hostilities in the State of California.*

March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of four hundred thousand dollars, or so much thereof as shall be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses incurred by the State of California, in the suppression of Indian hostilities therein, in the years eighteen hundred and fifty-four, fifty-five, fifty-six, fifty-eight, and fifty-nine, and the Secretary of the Treasury, when the said expenses of the State of California shall have been audited and allowed, shall be and hereby is authorized to pay the same in bonds of the United States authorized to be issued by the act of February the eighth, eighteen hundred and sixty-one.

Payment for suppression of Indian hostilities in California.

SEC. 2. *And be it further enacted*, That the Third Auditor of the Treasury be, and he hereby is, authorized and required to audit the accounts of the said State of California for payments for the services of volunteers, and for supplies, transportation, and personal services, furnished or rendered to said volunteers in the Shasta expedition of eighteen hundred and fifty-four, in the Siskiyou expedition of eighteen hundred and fifty-five, in the Klamath and Humboldt expedition of eighteen hundred and fifty-five, in the San Bernardino expedition of eighteen hundred and fifty-five, in the Klamath expedition of eighteen hundred and fifty-six, in the Modoc expedition of eighteen hundred and fifty-six, in the Tulare expedition of eighteen hundred and fifty-six, in the Klamath and Humboldt expedition of eighteen hundred fifty-eight and fifty-nine, and in the Pitt River expedition of eighteen hundred and fifty-nine: *Provided*, That no higher rate shall be allowed or paid for the services of said volunteers than was paid for services in the same grade and for the same time in the United States army serving in California, nor shall payment be made for the services of any such volunteers except for the time during which they

1861, ch. 29.
Ante, p. 129.
Accounts of the State to be audited, for volunteers, supplies, &c.

Pay to be no higher than in the regular army,

Pay to no person in more than one capacity at same time.

Rates of pay for supplies.

Additional proof to be required in certain cases.

Expense of no expedition to be paid unless necessary.

Acceptance of this indemnity to discharge all claims.

shall be shown by satisfactory evidence to have been engaged in actual service in the field: *And provided, further,* That no allowance shall be made for the services of any person in more than one capacity for the same time. And in auditing the said claims for supplies, transportation, and personal services, the same shall be computed at prices corresponding, as near as can be ascertained, to the rates paid for similar supplies and transportation furnished or rendered to the United States army in the same country at the same time; and the Third Auditor, as to all principles not expressly settled by this act, shall be governed in auditing and settling said claims by the principles adopted in his report upon the claims of the Territories of Washington and Oregon, of the seventh of February, eighteen hundred and sixty, made in pursuance of a resolution of the House of Representatives, passed the eighth of February, eighteen hundred and fifty-nine: *Provided,* That he be, and he hereby is, authorized and directed, whenever in his opinion the evidence in support of any claim for services, supplies, and transportation is not sufficient to establish such claim, or where he may have doubts as to the genuineness thereof, to require additional and satisfactory proof touching such claim, or the value of the services rendered or the supplies furnished, before reporting such claim for settlement and payment as herein directed: *And provided, further,* That no payment shall be made for the expenses of any expedition hereinbefore mentioned, if the Secretary of War shall be of opinion that there was not a necessity for calling out said troops: *Provided,* That the acceptance of the indemnity hereby provided shall operate as a final and complete discharge and satisfaction of all claims or matters hereinbefore referred to.

APPROVED, March 2, 1861.

March 2, 1861. CHAP. LXXII. — *An Act making Appropriations for the Support of the Army for the Year ending thirtieth of June, eighteen hundred and sixty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-two:

Army appropriations.

Recruiting and reenlistment.

For expenses of recruiting, transportation of recruits, three months' extra pay to non-commissioned officers, musicians, and privates on reenlistment, one hundred thousand dollars.

Pay.

For the pay of the army, three million six hundred and four thousand six hundred and forty-eight dollars.

Commutation of subsistence and forage.

For commutation of officers' subsistence, one million twelve thousand four hundred and fifty dollars and fifty cents.

For commutation of forage for officers' horses, one hundred and twenty-five thousand nine hundred and fifty-two dollars.

Clothing.

For payments to discharged soldiers for clothing not drawn, fifty thousand dollars.

For payments in lieu of clothing for officers' servants, forty thousand three hundred and seventy dollars.

Subsistence in kind.

For subsistence in kind, two million one hundred and twenty-one thousand nine hundred and sixty-four dollars.

Clothing, &c.

For clothing for the army, camp and garrison equipage, six hundred and sixty thousand sixteen dollars and twenty-one cents.

Quartermaster's department.

For the regular supplies of the quartermaster's department, consisting of fuel for the officers, enlisted men, guard, hospital, storehouses, and offices; of forage in kind for the horses, mules, and oxen of the quartermaster's department at the several posts and stations, and with the armies in the field; for the horses of the two regiments of dragoons, two regiments of cavalry, the regiment of mounted riflemen, the companies of light artillery, and such companies of infantry as may be mounted, and

for the authorized number of officers' horses when serving in the field and at the outposts, including bedding for the animals; of straw for soldiers' bedding, and stationery, including blank books for the quartermaster's department, certificates for discharged soldiers, blank forms for the pay and quartermaster's departments; and for the printing of division and department orders and reports, one million seven hundred and one thousand dollars.

For the incidental expenses of the quartermaster's department, consisting of postage on letters and packets received and sent by officers of the army on public service; expenses of courts-martial and courts of inquiry, including the additional compensation of judge-advocates, recorders, members, and witnesses, while on that service, under the act of March sixteenth, eighteen hundred and two; extra pay to soldiers employed, under the direction of the quartermaster's department, in the erection of barracks, quarters, storehouses, and hospitals; in the construction of roads, and other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department headquarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers, and to trains where military escorts cannot be furnished; expense of the interment of officers killed in action, or who die when on duty in the field, or at the posts on the frontiers, or at other posts and places when ordered by the Secretary of War; and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the quartermaster's department, including the hire of interpreters and guides for the army; compensation of clerks to officers of the quartermaster's department; compensation of forage and wagon masters, authorized by the act of July fifth, eighteen hundred and thirty-eight; for the apprehension of deserters, and the expenses incident to their pursuit; and for the following expenditures required for the two regiments of dragoons, the two regiments of cavalry, the regiment of mounted riflemen, and such companies of infantry as may be mounted, viz: the purchase of travelling forges, blacksmiths' and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, picket ropes, and for shoeing the horses of the corps named, four hundred and sixty thousand dollars.

Incidental expenses.

1802, ch. 9,
§§ 21, 22.
Vol. ii. p. 136.

1819, ch. 45.
Vol. iii. p. 488.
1854, ch. 247, § 6.
Vol. x. p. 576.

1838, ch. 162,
§ 10.
Vol. v. p. 257.

For hire or commutation of quarters for officers on military duty; hire of quarters for troops; of storehouses for the safe-keeping of military stores; of grounds for summer cantonments and for temporary frontier stations, making one hundred and nineteen thousand three hundred and fifty-one dollars and eighty-eight cents.

Hire of quarters, &c.

To pay the amount of a judgment recovered by John James against Captains A. T. Lee and T. G. Pitcher, First Lieutenant Thomas M. Jones, and Lieutenant Colonel W. Seawell, for damages for timber cut upon the land of said James for Fort Davis, one thousand dollars, and such further sum as may be necessary to pay the costs of the suit in which said judgment was rendered.

Judgment against A. T. Lee and others.

For hutting troops, and for repairing, altering, and enlarging buildings at the established posts, two hundred and thirty-six thousand seven hundred and sixty-five dollars and eighty-one cents.

Repairing buildings, &c.

For the construction of barracks and other buildings, ninety-five thousand three hundred and eighty-four dollars and twenty-seven cents.

Construction of barracks.

For the purchase of heating and cooking stoves, fifteen thousand dollars.

For the purchase of clocks for permanent posts, five hundred and sixty dollars.

For mileage, or the allowance made to officers of the army for the transportation of themselves and their baggage, when travelling on duty

Mileage.

without troops, escorts, or supplies, one hundred and twenty-five thousand dollars.

- Transportation.** For the transportation of the army, including the baggage of the troops when moving either by land or water; of clothing, camp and garrison equipage from the depot at Philadelphia to the several posts and army depots, and from those depots to the troops in the field; of horse equipments, and subsistence from the places of purchase and from the places of delivery under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small arms from the foundries and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls and ferriages; for the purchase and hire of horses, mules, and oxen, and the purchase and repair of wagons, carts, and drays, and of ships and other sea-going vessels and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters, transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; and for procuring water at such posts as, from their situation, require it to be brought from a distance; and for clearing roads, and removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operations of the troops on the frontier, two million two hundred and thirty-two thousand dollars.
- Water.**
- Roads.**
- Horses.** For the purchase of horses for the two regiments of dragoons, the two regiments of cavalry, and the regiment of mounted riflemen, one hundred and thirty-six thousand dollars.
- Contingencies.** For contingencies of the army, twenty-five thousand dollars.
- Medical, &c. departments.** For the medical and hospital departments, one hundred and fifteen thousand dollars.
- Miscellaneous.** For contingent expenses of the adjutant general's department at department headquarters, five hundred dollars.
- For compensation of the clerk and messenger in the office of the commanding general, two thousand dollars.
- For contingent expenses of the office of the commanding general, three hundred dollars.
- Fortifications.** For armament of fortifications, two hundred thousand dollars.
- Ordnance, &c.** For the current expenses of the ordnance service, one hundred and sixty thousand dollars.
- For ordnance, ordnance stores, and supplies, including horse equipments for the mounted regiments, two hundred and fifty thousand dollars.
- Manufacture of arms.** For the manufacture of arms at the national armories, three hundred and sixty thousand dollars.
- Springfield armory.** For repairs and improvements and new machinery at Springfield armory, Massachusetts, fifty-nine thousand five hundred dollars.
- Harper's Ferry.** For repairs and improvements and new machinery at Harper's Ferry armory, sixty-four thousand five hundred dollars.
- Arsenals. Allegheny.** For the Allegheny arsenal, repairing and painting public buildings, and for repairs and preservation of roads, culverts, and fences, four thousand one hundred and seventy dollars.
- Benicia.** For the Benicia arsenal, fifty thousand dollars.
- Fort Monroe.** For the Fort Monroe arsenal, twenty-four thousand eight hundred dollars.
- Frankford.** For Frankford arsenal, Pennsylvania, six thousand one hundred dollars.
- Leavenworth.** For Leavenworth arsenal, Kansas, twenty thousand dollars.
- New York.** For New York arsenal, two thousand six hundred and fifty dollars.
- North Carolina.** For North Carolina arsenal, five thousand dollars.
- St. Louis.** For St. Louis arsenal, one thousand eight hundred dollars.
- Washington.** For Washington arsenal, two thousand five hundred dollars.

For Watertown arsenal, eleven thousand seven hundred and ninety dollars.	Watertown.
For Watervliet arsenal, four thousand dollars.	Watervliet.
For contingencies of arsenals, twenty thousand dollars.	
For surveys of military defences, geographical explorations, and reconnoissances for military purposes, and surveys with the armies in the field, fifty thousand dollars.	Military surveys, &c.
For purchase and repairs of instruments, ten thousand dollars.	
For printing charts of lake surveys, ten thousand dollars.	
For continuing the surveys of the northern and northwestern lakes, including Lake Superior, seventy-five thousand dollars.	
To indemnify citizens of Iowa and Minnesota for the destruction of property at or near Spirit Lake by Ink-pa-du-tah's band of Sioux Indians, nine thousand six hundred and forty dollars and seventy-four cents, or so much thereof as may be found necessary.	Indemnity for losses by Ink-pa-du-tah's band.
For the following fortifications :	Fortifications.
Fort Montgomery, Lake Champlain, New York, ten thousand dollars.	Fort Montgomery.
Fort Knox, Penobscot River, Maine, twenty thousand dollars.	Fort Knox.
Fort on Hog Island Ledge, Portland, Maine, thirty thousand dollars.	Hog Island Ledge.
Fort Winthrop, Governor's Island, Boston harbor, Massachusetts, ten thousand dollars.	Fort Winthrop.
Fort Adams, Newport harbor, Rhode Island, five thousand dollars.	Fort Adams.
Fort Richmond, Staten Island, New York, fifteen thousand dollars.	Fort Richmond.
Fort on site of Fort Tompkins, Staten Island, New York, twenty-five thousand dollars.	at Staten Island.
Fort Delaware, Delaware River, twenty-five thousand dollars.	Fort Delaware.
Fort Carroll, Sollers' Point Flatts, Baltimore harbor, Maryland, fifty thousand dollars.	Fort Carroll.
Fort Calhoun, Hampton Roads, Virginia, fifty thousand dollars.	Fort Calhoun.
Fort Taylor, Key West, Florida, seventy thousand dollars.	Fort Taylor.
Fort Jefferson, Garden Key, Florida, seventy-five thousand dollars.	Fort Jefferson.
Fort at Fort Point, including outworks, San Francisco Bay, California, fifty thousand dollars.	Fort Point.
Fort at Alcatraz Island, San Francisco Bay, California, twenty-five thousand dollars.	at Alcatraz Island.
Fort at entrance of New Bedford harbor, Massachusetts, twenty-five thousand dollars.	at New Bedford.
Fort at Sandy Hook, New Jersey, seventy-five thousand dollars.	at Sandy Hook.
For protection of the site of Fort Macon, Beaufort harbor, North Carolina, ten thousand dollars.	Fort Macon.
Contingencies of fortifications, preservation of sites, protection of titles, and repairs of sudden damage, thirty thousand dollars.	Contingencies.
Repairs and alterations of barracks, quarters, and hospitals, store-rooms and fences at permanent posts not occupied by troops, ten thousand dollars.	Repairs, &c.
For the construction of a military post in or near the valley of the Red River of the North, fifty thousand dollars, or so much thereof as may be deemed necessary by the Secretary of War. The site to be selected and post built under direction of the Secretary of War.	Military post near the valley of the Red River of the North.
For completing the report and perfecting the drawings of the San Juan exploring expedition, one thousand eight hundred dollars.	San Juan exploring expedition.
For deficiency to cover expenditures made by the Quartermaster's bureau in consequence of Indian hostilities during the current fiscal year, namely :	Indian hostilities.
Incidental expenses, fifty-seven thousand and eighty four-dollars.	
Transportation of troops and supplies, four hundred and seventy-three thousand four hundred and sixty-four dollars.	
Barracks and quarters, one hundred and seventy-eight thousand eight hundred and eighty-seven dollars : <i>Provided</i> , That the Secretary of War shall cause an examination to be made into the expenditure in the Quarter-	Barracks and quarters.

Report on Quartermaster's bureau to be made to Congress.

Accounts of Superintendent of Fort Ridgely and South Pass wagon-road to be settled.

Protection of emigrants on overland-routes.

master's bureau since the first day of July, eighteen hundred and fifty-seven, and report the same to Congress at its next session.

SEC. 2. *And be it further enacted*, That the Secretary of the Interior be, and he is hereby, authorized and directed to audit and state the accounts of the late Superintendent of the Fort Ridgely and South Pass wagon road, up to the time when he was relieved from the care of the public property in his possession, allowing him all such sums as, in the opinion of the Secretary, may be fair, reasonable, and just, and charging him with all such sums as in his opinion he ought to be charged with, and report the same to Congress.

SEC. [3.] *And be it further enacted*, That for the protection of emigrants on the overland routes between the Atlantic slope and the California and Oregon and Washington frontier, the sum of fifty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, if, in his judgment, the same may be necessary.

APPROVED, March 2, 1861.

March 2, 1861.

CHAP. LXXIII. — *An Act making Appropriations for the Service of the Post Office Department during the fiscal Year ending the thirtieth of June, eighteen hundred and sixty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the service of the Post Office Department for the year ending the thirtieth of June, eighteen hundred and sixty-two, out of any moneys in the Treasury arising from the revenues of the said Department, in conformity to the act of the second July, eighteen hundred and thirty-six.

Appropriations for Post-Office Department.

1836, ch. 270.
Vol. v. p. 80.

Transportation of the mails.

Discontinuance, &c. of postal service since March 4, 1859, to be inquired into.

No change to be made without consent of contractor.

Compensation to postmasters.

No pay allowed for delivery of free letters or papers, except, &c.

Clerks to postmasters.

Ship-letters. Office-furniture.

Advertising, paper, twine, &c.

Mail depredations and special agents.

Repeat of part of act 1860, ch. 181.

For transportation of the mails, (inland,) ten million forty thousand two hundred and eighty-four dollars; and the Postmaster General is hereby directed to reëxamine the causes for discontinuance or curtailment of the postal service on inland routes since the fourth day of March, eighteen hundred and fifty-nine, and to restore all such parts of said service as can be restored with due regard to the public interest and the circumstances of each case, whether such discontinuance or curtailment was upon contracts yet in force, or has taken effect upon the making of new contracts: *And provided*, That the restoration or increase of service hereby contemplated, shall not be made without the consent of the contractor in each case, or in pursuance of his contract.

For compensation to postmasters, two millions seven hundred thousand dollars: *Provided*, That no compensation shall be paid to postmasters after the thirtieth of June, eighteen hundred and sixty-one, for the delivery of free letters or papers to their recipients, except to the postmaster at Washington city, District of Columbia, in pursuance of the existing law authorizing a special allowance to him for such service.

For clerks in the offices of postmasters, one million forty-five thousand five hundred and seventeen dollars and twenty-three cents.

For ship, steamboat, and way letters, twenty thousand dollars.

For office furniture for post offices, four thousand dollars.

For advertising, seventy thousand dollars.

For mail bags, fifty-five thousand dollars.

For paper for blanks, sixty thousand dollars.

For printing blanks, twelve thousand dollars.

For wrapping paper, forty-five thousand dollars.

For mail locks, keys, and stamps, twenty thousand dollars.

For mail depredations and special agents, seventy-five thousand dollars: *Provided*, That the proviso in the first section of the act of June fifteenth, eighteen hundred and sixty, making appropriations for the service of the Post Office Department, which restricts the maximum compensation to be

- paid to route agents to the sum of eight hundred dollars per year, be, and the same is hereby, repealed. Pay of route-agents.
- For miscellaneous payments, one hundred and sixty thousand dollars. Miscellaneous.
- For postage stamps and stamped envelopes, one hundred and ten thousand dollars. Postage-stamps, &c.
- For payment of balances due to foreign countries, three hundred thousand dollars. Foreign balances.
- For payment of letter carriers, two hundred and ten thousand dollars. Letter-carriers.
- SEC. 2. *And be it further enacted*, That the third section of the act making provision for the postal service in California, Oregon, and Washington, approved July twenty-seven, eighteen hundred and fifty-four, be, and the same is hereby, repealed; and that all dead letters which may accumulate in the post offices in said States and Territory, after thirtieth June next, shall be returned to the General Post Office Department, at Washington, under such regulations as the Postmaster General may prescribe. Act of 1854, ch. 109, § 3, (vol. x. p. 313,) requiring dead letters to be sent to San Francisco, &c., repealed. Such letters to be sent to Washington.
- SEC. 3. *And be it further enacted*, That if the revenues of the Post Office Department shall be insufficient to meet the appropriations of this act, thense [the] sum of five million three hundred and ninety-one thousand three hundred and fifty dollars and sixty-three cents, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post Office Department for the year ending the thirtieth of June, eighteen hundred and sixty-two. Deficiency appropriation for year ending June 30, 1862, if, &c. 1862, ch. 85. Post, p. 408.
- SEC. 4. *And be it further enacted*, That the provisions of the third section of an act entitled "An act amendatory of an act regulating the Post Office Department," approved March second, eighteen hundred and twenty-seven, be, and the same are hereby, applied to all post routes which have been, or may hereafter be, established in any town or city by the Postmaster General, by virtue of the tenth section of an act entitled "An act to reduce and modify the rates of postage in the United States, and for other purposes," approved February twenty-seven, eighteen hundred and fifty-one. No person except Postmaster-General, &c. to set up any foot or horse-post. 1827, ch. 61, § 3. Vol. iv. p. 238. 1851, ch. 20, § 10. Vol. ix. p. 591.
- SEC. 5. *And be it further enacted*, That the compensation of the special mail agent of the Post Office Department for the Pacific coast, shall be two thousand five hundred dollars per annum; such rate to take effect in virtue of this provision from the thirtieth day of June, eighteen hundred and sixty-one. Pay of special mail agent for Pacific coast.
- SEC. 6. *And be it further enacted*, That the sum of three hundred and fifty thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for carrying the mail from New York, via Panama, to San Francisco, three times a month, from the first day of July, eighteen hundred and sixty, to the first day of July, eighteen hundred and sixty-one. Mail from New York to San Francisco via Panama.
- SEC. 7. *And be it further enacted*, That the Postmaster General be, and he is hereby, directed to refund to Franklin Haven and his associates, the sum of money deposited by them with the Post Office Department required as indemnity for the contin[u]ance of the Boston post office in the former locality, said post office having since been removed: *Provided*, That from the sum of money thus deposited the Postmaster General shall first deduct the expenses of one removal of said post office each way. Repayment to Franklin Haven and others.
- SEC. 8. *And be it further enacted*, That the Postmaster General is hereby authorized to extend the existing mail contract on route thirteen thousand five hundred and sixty-four, in the State of Minnesota, so that it will expire June the thirtieth, eighteen hundred and sixty-five, and that the said service be semi-weekly for the same period: *Provided*, The increase of pay shall not exceed the pro rata amount now paid. Proviso.
- SEC. 9. *And be it further enacted*, That in lieu of the daily service on Mail-contract on route 13,564. 1863, ch. 55. Post, p. 664. Proviso.

the central route, provided by the act entitled "An act for the establishment of post routes," approved February twenty-seventh, eighteen hundred and sixty-one, the Postmaster General is hereby directed to discontinue the mail service on route number twelve thousand five hundred and seventy-eight from Saint Louis and Memphis to San Francisco, California, and to modify the contract on said route, subject to the same terms and conditions only as hereinafter provided, said discontinuance to take effect on or before July one, eighteen hundred and sixty-one. The contractors on said route shall be required to transport the entire letter mail six times a week on the central route, said letter mail to be carried through in twenty days time, eight months in the year, and in twenty-three days the remaining four months of the year, from some point on the Missouri River connected with the East, to Placerville, California, and also to deliver the entire mails tri-weekly to Denver City, and Great Salt Lake City; said contractors shall also be required to carry the residue of all mail matter in a period not exceeding thirty-five days, with the privilege of sending the latter semi-monthly from New York to San Francisco in twenty-five days by sea, and the public documents in thirty-five days. They shall also be required, during the continuance of their contract, or until the completion of the overland telegraph, to run a pony express semi-weekly, at a schedule time of ten days, eight months, and twelve days four months, carrying for the Government, free of charge, five pounds of mail matter, with the liberty of charging the public for transportation of letters by said express not exceeding one dollar per half ounce. For the above service said contractors shall receive the sum of one million dollars per annum; the contract for such service to be thus modified before the twenty-fifth day of March next, and expire July one, eighteen hundred and sixty-four.

1861, ch. 57,
§ 15, ante, p. 169.

Service on central route overland to San Francisco.

to Denver City and Salt Lake City.

Pony express.

Pay.

Contractors on route 12,578.

Same subject.

New contract.

Proviso.

May be altered.

Paying reasonable damages to contractors.

This not to apply to local routes.

SEC. 10. *And be it further enacted,* That the contractors on route twelve thousand five hundred and seventy-eight, shall be entitled to their present mail pay during the necessary time required to change their stock from their present route to the central route without performing the service, and shall be entitled also to two months' pay on their present contract as liquidated damages for such change of service, if made by them in accordance with the terms of the preceding section.

SEC. 11. *And be it further enacted,* That, should the contractors on the route twelve thousand five hundred and seventy-eight fail to accept the above modification of their present contract on or before the twenty-fifth day of March, as before stated, then the Postmaster General is directed to annul said contract, and advertise for thirty days for carrying the mail in the manner herein provided; the service to commence July one, eighteen hundred and sixty-one, or as soon thereafter as possible, and to expire July one, eighteen hundred and sixty-four, and to let the same to the lowest responsible bidder, having due regard to their ability to perform the service; and the sum of one million of dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry into execution the provisions of so much of this act as provides for the establishment of a daily mail on the central route: *Provided, nevertheless,* That the Postmaster General or Congress shall have power, from time to time, as the same may be deemed necessary, to alter or modify the contract hereby authorized, or to put an end to the same entirely, should the public interest demand a discontinuance of the service. But in either case the contractors shall be entitled to receive all such reasonable damages as they may sustain because of any such alteration or annulment of their contract.

SEC. 12. *And be it further enacted,* That the above provision shall not apply to a discontinuance of any routes or contracts connected with said route number twelve thousand five hundred and seventy-eight, and the Postmaster General is authorized to replace any local service affected by

the discontinuance of said route, now performed by the contractors on said route, by good and sufficient mail service, to take effect upon such discontinuance.

SEC. 13. *And be it further enacted*, That any of the provisions of the act entitled "An act for the establishment of post routes," approved the twenty-seventh of February, eighteen hundred and sixty-one, before referred to, which conflict with the provisions of this act, are hereby repealed.

Repeal of inconsistent provisions of act 1861, ch. 57.

Ante, pp. 151, 169.

APPROVED, March 2, 1861.

CHAP. LXXIV.—*An Act for the Relief of certain Chippewa, Ottawa, and Pottawatomie Indians.* March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed [to] examine and report to Congress at its next session, what amount, if any, is due to the Chippewa, Ottawa, and Pottawatomie Indians now residing in the State of Michigan, under and by virtue of the treaties of July twenty-nine, eighteen hundred and twenty-nine, the twenty-sixth of September, eighteen hundred and thirty-three, and the articles supplementary thereto of September twenty-seven, eighteen hundred and thirty-three, with said Indians, and under the treaty of the fifth and seventeenth of June, eighteen hundred and forty-six, with the Pottawatomie nation of Indians; and the Secretary of the Interior is furthermore hereby authorized and directed to ascertain and report at the same time whether [there is] any money or property heretofore payable to said Pottawatomie nation under and by virtue of the treaty of October twenty-six, eighteen hundred and thirty-two, or other treaties, which has not been appropriated and paid; and, if any, what amount.

Report to be made of amount due, if any, to Chippewa, Ottawa, and Pottawatomie Indians.

Vol. vii. p. 320.
Vol. vii. p. 431, 442.
Vol. ix. p. 853.
Vol. vii. p. 394.

APPROVED, March 2, 1861.

CHAP. LXXV.—*An Act declaring the Value of the new Silver Florin of Austria.* March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the new silver florin of Austria shall, in all computations at the custom-house, be estimated at forty-six cents and nineteen-hundredths of a cent.

New silver florin of Austria.

APPROVED, March 2, 1861.

CHAP. LXXVI.—*An Act making Appropriations to supply a Deficiency in the Appropriations for the Completion of the Geological Survey of Oregon and Washington Territories.* March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to wit:

Appropriations to complete geological survey of Oregon and Washington Territories.

First. For defraying the expenses of a geological reconnoissance and explorations in Oregon and Washington Territories, over and above the appropriations of March three, eighteen hundred and fifty-three, and eighteen hundred and fifty-five, as per accounts audited and adjusted, three thousand five hundred and seventy-four dollars and seventy cents.

Second. For expenses incurred in the analysis of eighty-eight specimens, from different localities, of soils, coals, and ores, and preparation of the final report for publication, six thousand nine hundred and eighty-four dollars and fifty cents.

APPROVED, March 2, 1861.

March 2, 1861. CHAP. LXXVII. — *An Act authorizing the Secretary of the Treasury to issue a Register to the Schooner Perseverance, of Ogdensburgh, State of New York.*

Register to schooner Perseverance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue a register to the owner of the schooner Perseverance, of Ogdensburgh, in the State of New York, the said schooner or vessel having been built in Canada; and said schooner or vessel shall hereafter be considered and deemed to be a schooner or vessel of the United States, and entitled to all the rights and privileges accorded by law to ships or vessels built in the United States: Provided, The Secretary shall be satisfied that the owner of said schooner is a citizen of the United States.

APPROVED, March 2, 1861.

March 2, 1861. CHAP. LXXVIII. — *An Act to provide for the Completion of the military Roads from Fort Union to Santa Fe, and from Taos to Santa Fe, New Mexico.*

Military roads in New Mexico.

Post, p. 489.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of thirty-five thousand dollars be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the completion of the military road from Fort Union to Santa Fe, New Mexico, and for the completion of the military road from Taos to Santa Fe, in New Mexico, fifteen thousand dollars.

APPROVED, March 2, 1861.

March 2, 1861. CHAP. LXXIX. — *An Act donating to the States of Minnesota and Oregon certain Lands reserved by Congress for the Territories of Minnesota and Oregon for University Purposes.*

Grants to Minnesota and Oregon for university. 1851, ch. 10. Vol. ix. p. 568.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lands reserved for the use of a university in the Territories of Minnesota and Oregon under section second of an act of Congress passed February nineteenth, one thousand eight hundred and fifty-one, entitled "An act to authorize the legislative assemblies of the Territories of Oregon and Minnesota to take charge of the school lands in said Territories, and for other purposes," be hereby donated to the States of Minnesota and Oregon for the use of said university.

APPROVED, March 2, 1861.

March 2, 1861. CHAP. LXXX. — *An Act to remove the United States Arsenal from the City of Saint Louis, and to provide for the Sale of the Lands on which the same is located.*

United States arsenal to be removed from St. Louis.

Lands to be sold.

Proceeds, how applied.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to proceed at once to have the grounds now used for the purposes of an arsenal, in the city of Saint Louis, laid off into blocks, according to the present plan of that portion of the city, and to have the same subdivided into lots of a convenient size, for building purposes, and subject the western unoccupied portion of the same to sale to the highest bidder, at public vendue, on such terms as to him may seem most advantageous, first giving sixty days' notice by advertisement in at least three newspapers, published in the city of Saint Louis, of the time, place, and terms of sale, with a description of the property to be sold; the proceeds of such sale to be applied to the erection at Jefferson Barracks, in the State of Missouri, of suitable buildings for containing all the tools, implements, machinery, arms, and materials now at said Saint Louis arsenal.

SEC. 2. *And be it further enacted, That the Secretary of War be,*

and hereby is, authorized, as soon as the buildings above provided for shall be in readiness for that purpose, to cause the business heretofore carried on at said Saint Louis arsenal to be transferred to the military reservation known as "Jefferson Barracks," in the county of Saint Louis, and State of Missouri, and also to cause all the tools, implements, machinery, arms, and materials now at said arsenal to be removed to said reservation.

Arsenal, &c. to be transferred to Jefferson Barracks.

SEC. 3. *And be it further enacted*, That, as soon as possible after the removal of the arsenal from Saint Louis to Jefferson Barracks, the Secretary of War shall sell, in the manner directed in the first section of this act, all the residue of the grounds attached to the said Saint Louis arsenal, and the buildings thereupon; the proceeds of such sale shall be paid into the United States Treasury.

Residue of lands in St. Louis to be sold.

APPROVED, March 2, 1861.

CHAP. LXXXI. — *An Act to amend the Provisions of the fifty-sixth Section of "An Act to regulate the Collection of Duties on Imports and Tonnage," approved the second Day of March, one thousand seven hundred and ninety-nine.* March 2, 1861. 1799, ch. 22, § 56. Vol. i. p. 689.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any goods, wares, or merchandise, shall be imported into any port of the United States from any foreign port, in any ship or vessel, at the expiration of eight working days, if the ship or vessel shall be less than three hundred tons burden, and within twelve working days, if it be of three hundred tons burden and less than eight hundred, and within fifteen days, if it be of eight hundred tons burden and upwards, after the time within which the report of the master or person having charge or command of any ship or vessel is required to be made to the collector of the district, if there shall be found any goods, wares, or merchandise other than shall have been reported for some other district, or some foreign port or place, the collector shall take possession thereof; but with the consent of the owner or consignee of any goods, wares, or merchandise, or with the consent of the owner or master of the vessel in which the same may be imported, the said goods, wares, or merchandise may be taken possession of by the collector, after one day's notice to the collector of the district.

When collector to take possession of certain imports

APPROVED, March 2, 1861.

CHAP. LXXXII. — *An Act legalizing certain Entries of Lands on Leavenworth Island, in the State of Missouri.* March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all preëmption entries heretofore made in good faith at the land-office at Kickapoo, in the Delaware land district, Kansas Territory, of lands embraced within the island opposite Leavenworth City, known as Leavenworth Island, in the State of Missouri, be, and the same are hereby, declared valid, in the same manner as if made in the proper land district of the State of Missouri: *Provided*, Such entries shall be found by the Secretary of the Interior, in all other respects, to be in accordance with the preëmption law.

Certain entries of land in Missouri declared valid.

APPROVED, March 2, 1861.

CHAP. LXXXIII. — *An Act to organize the Territory of Nevada.* March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States, included within the following limits, to wit: — beginning at the point of intersection of the forty-second degree of north latitude with the thirty-ninth degree of longitude west from Washington; thence, running south on the line of said thirty-ninth degree of west longitude.

Territory of Nevada established. Boundaries

Proviso as to
portion within
California.

Indian rights
preserved.

Territory may
be divided into
two or more ter-
ritories, &c.

Governor;
term, powers, and
duties.

Secretary; term
and duties.

Legislature.

gitude, until it intersects the northern boundary line of the Territory of New Mexico; thence due west to the dividing ridge separating the waters of Carson Valley from those that flow into the Pacific; thence on said dividing ridge northwardly to the forty-first degree of north latitude; thence due north to the southern boundary line of the State of Oregon; thence due east to the place of beginning, be, and the same is hereby, erected into a temporary government by the name of the Territory of Nevada: *Provided*, That so much of the Territory within the present limits of the State of California shall not be included within this Territory until the State of California shall assent to the same by an act irrevocable without the consent of the United States: *Provided, further*, That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any State or Territory; but all such territory shall be excepted out of the boundaries and constitute no part of the Territory of Nevada, until said tribe shall signify their assent to the President of the United States to be included within the said Territory, or to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent for the Government to make if this act had never passed: *Provided, further*, That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing said Territory into two or more Territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion thereof to any other Territory or State.

SEC. 2. *And be it further enacted*, That the executive power and authority in and over said Territory of Nevada shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The governor shall reside within said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian Affairs, and shall approve all laws passed by the legislative assembly before they shall take effect; he may grant pardons for offences against the laws of said Territory, and reprieves for offences against the laws of the United States until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of said Territory, and shall take care that the laws be faithfully executed.

SEC. 3. *And be it further enacted*, That there shall be a secretary of said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the legislative assembly hereinafter constituted, and all the acts and proceedings of the governor, in his executive department; he shall transmit one copy of the laws and one copy of the executive proceedings, on or before the first day of December in each year, to the President of the United States, and at the same time two copies of the laws to the Speaker of the House of Representatives and the President of the Senate, for the use of Congress; and in case of the death, removal, or resignation, or other necessary absence of the governor from the Territory, the secretary shall have, and he is hereby authorized and required, to execute and perform all the powers and duties of the governor during such vacancy or necessary absence, or until another governor shall be duly appointed to fill such vacancy.

SEC. 4. *And be it further enacted*, That the legislative power and authority of said Territory shall be vested in the governor and a legislative

assembly. The legislative assembly shall consist of a Council and House of Representatives. The Council shall consist of nine members, which may be increased to thirteen, having the qualifications of voters as herein-after prescribed, whose term of service shall continue two years. The House of Representatives shall consist of thirteen members, which may be increased to twenty-six, possessing the same qualifications as prescribed for members of the Council, and whose term of service shall continue one year. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts for the election of the Council and House of Representatives, giving to each section of the Territory representation in the ratio of its population (Indians excepted), as nearly as may be; and the members of the Council and of the House of Representatives shall reside in, and be inhabitants of, the district for which they may be elected, respectively. Previous to the first election, the Governor shall cause a census or enumeration of the inhabitants of the several counties and districts of the Territory to be taken; and the first election shall be held at such time and places, and be conducted in such manner, as the Governor shall appoint and direct; and he shall, at the same time, declare the number of the members of the Council and House of Representatives to which each of the counties or districts shall be entitled under this act. The number of persons authorized to be elected having the highest number of votes in each of said council districts for members of the Council shall be declared by the Governor to be duly elected to the Council; and the person or persons authorized to be elected having the greatest number of votes for the House of Representatives, equal to the number to which each county or district shall be entitled, shall be declared by the Governor to be elected members of the House of Representatives: *Provided*, That in case of a tie between two or more persons voted for, the Governor shall order a new election to supply the vacancy made by such tie. And the persons thus elected to the legislative assembly shall meet at such place and on such day as the Governor shall appoint; but thereafter, the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representations, in the several counties or districts to the Council and House of Representatives, according to the population, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the legislative assembly: *Provided*, That no one session shall exceed the term of forty days, except the first, which may be extended to sixty days, but no longer.

Council.
House of Representatives.
Apportionment.

Census.
First election.

Proviso.

Subsequent elections.

Length of sessions.

Voters.

Proviso.

SEC. 5. *And be it further enacted*, That every free white male inhabitant of the United States above the age of twenty-one years, who shall have been a resident of said Territory at the time of the passage of this act, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters and of holding office at all subsequent elections shall be such as shall be prescribed by the Legislative Assembly: *Provided*, That the right of suffrage and of holding office shall be exercised only by citizens of the United States and those who shall have declared on oath their intention to become such, and shall have taken an oath to support the Constitution of the United States.

SEC. 6. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents; nor shall any law be passed impairing the rights of private property; nor shall any discrimination be made in taxing different kinds of property; but all property subject to taxation shall be in proportion to the value of the property taxed.

Legislative power.

Township, district, and county officers.

SEC. 7. *And be it further enacted,* That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the Territory. The governor shall nominate and, by and with the advice and consent of the legislative council, appoint all officers not herein otherwise provided for; and, in the first instance, the governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the legislative assembly, and shall lay off the necessary districts for members of the council and house of representatives, and all other officers.

Members of legislature ineligible to certain offices.

SEC. 8. *And be it further enacted,* That no member of the legislative assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased while he was a member, during the term for which he was elected, and for one year after the expiration of such term; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall hold any office under the government of said Territory.

Other ineligible.

Judicial power.

Supreme courts.

SEC. 9. *And be it further enacted,* That the judicial power of said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually, and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court, at such time and place as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of the justices of the peace, shall be as limited by law: *Provided,* That justices of the peace shall not have jurisdiction of any matter in controversy when the title of boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively, shall possess chancery as well as common-law jurisdiction; and authority for redress of all wrongs committed against the Constitution or laws of the United States, or of the Territory, affecting persons or property. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception, and appeals, shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decisions of said supreme court, shall be allowed, and may be taken to the Supreme Court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of the said district courts shall have and exercise the same jurisdiction in all cases arising under the Constitution and laws of the United States as is vested in the circuit and district courts of the United States; and the said supreme and district courts of the said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are grantable by the judges of the

District courts.

Jurisdiction of justices of the peace.

Clerk and register in chancery, writs of error, &c.

United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws; and writs of error and appeals in all such cases shall be made to the supreme court of said Territory the same as in other cases. The said clerk shall receive, in all such cases, the same fees which the clerks of the district courts of Utah Territory now receive for similar services.

Fees of clerk.

SEC. 10. *And be it further enacted,* That there shall be appointed an attorney for said Territory, who shall continue in office for four years, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the present Territory of Utah. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, and who shall execute all processes issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States; he shall perform the duties, be subject to the same regulations and penalties, and be entitled to the same fees as the marshal of the district court of the United States for the present Territory of Utah, and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

Attorney.

Marshal.

SEC. 11. *And be it further enacted,* That the governor, secretary, chief justice and associate justices, attorney, and marshal, shall be nominated and, by and with the advice and consent of the Senate, appointed by the President of the United States. The governor and secretary to be appointed as aforesaid shall, before they act as such, respectively take an oath or affirmation before the district judge, or some justice of the peace in the limits of said Territory duly authorized to administer oaths and affirmations by the laws now in force therein, or before the Chief Justice or some associate justice of the Supreme Court of the United States, to support the Constitution of the United States and faithfully to discharge the duties of their respective offices; which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken, and such certificates shall be received and recorded by the secretary among the executive proceedings; and the chief justice and associate justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said governor or secretary, or some judge or justice of the peace of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the secretary, to be by him recorded as aforesaid; and afterwards the like oath or affirmation shall be taken, certified, and recorded in such manner and form as may be prescribed by law. The governor shall receive an annual salary of fifteen hundred dollars as governor, and one thousand dollars as superintendent of Indian Affairs; the chief justice and associate justices shall each receive an annual salary of eighteen hundred dollars; the secretary shall receive an annual salary of eighteen hundred dollars. The said salaries shall be paid quarter-yearly at the Treasury of the United States. The members of the legislative assembly shall be entitled to receive three dollars each per day during their attendance at the session thereof, and three dollars for every twenty miles' travel in going to and returning from the said sessions, estimated according to the nearest usually travelled route. There shall be appropriated annually the sum of one thousand dollars, to be expended by the governor to defray the contingent expenses of the Territory. There shall also be appropriated annually a sufficient sum, to be expended by the secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the legislative assembly, the printing of the laws, and other incidental expenses; and the secretary of the Territory shall annually account to the

Governor, &c.,
how appointed.

Salaries.

Pay of legislative assembly.

Contingencies.

Secretary of the Treasury of the United States for the manner in which the aforesaid sum shall have been expended.

Place of first meeting of legislative assembly.

SEC. 12. *And be it further enacted*, That the legislative assembly of the Territory of Nevada shall hold its first session at such time and place in said Territory as the governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the governor and legislative assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible; which place, however, shall thereafter be subject to be changed by the said governor and legislative assembly.

Seat of government.

Delegate to Congress.

SEC. 13. *And be it further enacted*, That a delegate to the House of Representatives of the United States, to serve during each Congress of the United States, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives. The first election shall be held at such time and places, and be conducted in such manner, as the governor shall appoint and direct; and at all subsequent elections, the times, places, and manner of holding elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly.

School sections.

SEC. 14. *And be it further enacted*, That when the land in said Territory shall be surveyed, under the direction of the Government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said Territory shall be, and the same is hereby, reserved for the purpose of being applied to schools in the States hereafter to be erected out of the same.

Judicial districts, and times and places of holding courts.

SEC. 15. *And be it further enacted*, That temporarily, and until otherwise provided by law, the governor of said Territory may define the judicial districts of said Territory and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts, by proclamation to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

Constitution, &c. applicable, &c.

SEC. 16. *And be it further enacted*, That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Nevada as elsewhere within the United States.

Surveyor general to be appointed.

SEC. 17. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, shall be, and he is hereby, authorized to appoint a surveyor general for Nevada, who shall locate his office at such place as the Secretary of the Interior shall from time to time direct, and whose duties, powers, obligations, responsibilities, compensation, and allowances for clerk hire, office rent, fuel, and incidental expenses, shall be the same as those of the surveyor general of New Mexico, under the direction of the Secretary of the Interior, and such instructions as he may from time to time deem it advisable to give him.

Pay, &c.

APPROVED, March 2, 1861.

March 2, 1861. CHAP. LXXXIV. — *An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending June thirty, eighteen hundred and sixty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be,

and the same are hereby, appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-two, viz :

Civil expenses,
appropriation.

Survey of the Coast. — For continuing the survey of the Atlantic and Gulf coast of the United States, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) two hundred and thirty thousand dollars.

Coast survey.

For continuing the survey of the western coast of the United States, including compensation of civilians engaged in the work, one hundred and ten thousand dollars.

For continuing the survey of the Florida reefs and keys, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) twenty-five thousand dollars.

For completing the line to connect the triangulation on the Atlantic coast with that on the Gulf of Mexico, across the Florida Peninsula, including compensation of civilians engaged in the work, five thousand dollars.

For publishing the observations made in the progress of the survey of the coast of the United States, including compensation of civilians engaged in the work, five thousand dollars.

For repairs of steamers and sailing schooners used in the coast survey, ten thousand dollars.

For fuel and quarters, and for mileage or transportation for officers and enlisted soldiers of the army serving in the coast survey, in cases no longer provided for by the quartermaster's department, five thousand dollars.

For pay and rations of engineers for seven steamers used in the hydrography of the coast survey, no longer supplied by the Navy Department, twelve thousand eight hundred dollars.

To supply deficiency in the fund for the relief of sick and disabled seamen, two hundred thousand dollars.

Deficiency for
seamen.

For the discharge of such miscellaneous claims, not otherwise provided for, as shall be admitted in due course of settlement at the Treasury, five thousand dollars.

Miscellaneous
claims.

Lighthouse Establishment. — For the Atlantic, Gulf, and Lake coasts, viz :

Lighthouse
establishment.

For supplying the lighthouses and beacon-lights with oil, glass chimneys, wicks, chamois skins, polishing powder, whiting, and other cleaning materials, transportation, and other necessary expenses of the same, repairing and keeping in repair the lighting apparatus, one hundred and fifty-four thousand six hundred and ninety-eight dollars and eighty cents.

For repairs and incidental expenses, refitting and improving all the lighthouses and buildings connected therewith, one hundred and two thousand two hundred dollars.

For salaries of five hundred and ninety-six keepers of lighthouses and light-beacons, and their assistants, two hundred and thirteen thousand one hundred and ninety-three dollars and thirty-three cents.

For salaries of forty-three keepers of light-vessels, twenty-three thousand nine hundred dollars.

For seamen's wages, repairs, supplies, and incidental expenses of forty-five light-vessels, one hundred and seventy thousand nine hundred and sixty-seven dollars and seventy cents.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of buoys and day-beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys, one hundred and twelve thousand three hundred and fifty dollars.

For expenses of visiting and inspecting lights, and other aids to navigation, two thousand dollars.

1851, ch. 32.
Vol. ix. p. 608.

For commissions, at two and a half per centum, to such superintendents as are entitled to the same under the proviso to act third March, eighteen hundred and fifty-one, on the amount that may be disbursed by them, seven thousand dollars.

California, Oregon, and Washington.

For the Coasts of California, Oregon, and Washington.— For supplying nineteen lighthouses and beacon-lights with oil, glass chimneys, wicks, chamois skins, polishing powder, and other cleaning materials, transportation, expenses of keeping lamps and machinery in order, publishing notices to mariners of changes of aids to navigation, seventeen thousand two hundred and seventy dollars.

For repairs and incidental expenses of nineteen lighthouses and buildings connected therewith, ten thousand dollars.

For salaries of forty-three keepers and assistant keepers of lighthouses, at an average not exceeding eight hundred dollars per annum, twenty-five thousand eight hundred dollars.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of floating buoys and day-beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys, ten thousand dollars.

For inspection and transportation purposes, five thousand dollars.

1851, ch. 32.
Vol. ix. p. 608.

For commission, at two and a half per centum, to such superintendents as are entitled to the same under the proviso to the act of March third, eighteen hundred and fifty-one, one thousand five hundred dollars.

Army officers on lighthouse duty.

For commutation of fuel and quarters for officers of the army serving on lighthouse duty, the payment of which is no longer provided for by the quartermaster's department, five thousand two hundred and thirty-nine dollars and seventy-nine cents.

Life-stations and boats.

For compensation of two superintendents for the life-saving stations on the coasts of Long Island and New Jersey, three thousand dollars.

For compensation of fifty-four keepers of stations, at two hundred dollars each, ten thousand eight hundred dollars.

Transient paupers in Washington Infirmary.

For support, care, and medical treatment of forty transient paupers, medical and surgical patients in Washington Infirmary, six thousand dollars.

Public grounds.

For purchase of manure for the public grounds, one thousand dollars.

For hire of carts on the public grounds, one thousand and ninety-five dollars.

For purchase and repair of tools used in the public grounds, five hundred dollars.

For purchase of trees and tree-boxes, to replace, where necessary, such as have been planted by the United States, to whitewash tree-boxes and fences, and the repair of pavements in front of the public grounds, two thousand five hundred dollars.

Repairs of Capitol.

For annual repairs of the Capitol, water-closets, public stables, water-pipes, pavements, and other walks within the Capitol square, broken glass, and locks, and for the protection of the building, five thousand dollars.

President's House.

For annual repairs of the President's House and furniture, improvement of grounds, purchase of plants for garden, and contingent expenses incident thereto, six thousand dollars.

For fuel, in part, of the President's House, one thousand eight hundred dollars.

Lighting Capitol, &c.

For lighting the Capitol and President's House, the public grounds around them, and around the executive offices, and Pennsylvania avenue, Bridge and High streets, in Georgetown, Four-and-a-half, Seventh, and Twelfth streets, across the mall, forty-two thousand dollars.

For purchase of books for library at the Executive Mansion, to be expended under the direction of the President of the United States, two hundred and fifty dollars. Library of Executive Mansion.

For repairs of the Potomac, Navy Yard, and upper bridges, and the roads appurtenant thereto owned by the United States, six thousand dollars. Repairs of bridges, avenues, squares, &c.

For repairs of Pennsylvania avenue, three thousand dollars.

For public reservation number two and Lafayette square, two thousand dollars.

For taking care of the grounds south of the President's House, continuing the improvement of the same, and keeping them in order, three thousand dollars.

For repairs of water-pipes, five hundred dollars.

For cleaning out the sewer traps on Pennsylvania avenue, and repairing the same, three hundred dollars.

For repairs of furnaces under the Senate chamber and Supreme Court rooms, five hundred dollars.

Government Hospital for the Insane.—For the support, clothing, and medical and moral treatment of the insane of the District of Columbia, and of the army and navy and of the revenue service, at the asylum in said District, including books and incidental expenses of the asylum, thirty-five thousand five hundred dollars. Hospital for the insane.

For repairs and painting of four western or first erected sections of the hospital edifice, including additions to the furniture and gardener's houses, and out-buildings and fences; ice-houses, including preserving cellar, extension of stable for storage of hay and other fodder, and shelter of farm wagons and carts; and enclosing two sides of farm-yard with brick wall; improvement of grounds, including pavement surrounding all the buildings; grading and planting trees, paving gutters, and placing seats in the pleasure grounds of the patients; forcing and green-houses, including apparatus; fitting up two bowling-alleys, one in basement of each wing, eight thousand dollars.

Patent Office.—For constructing the cellar of the north front of the Patent Office building into offices and store-rooms, and for putting iron railing around the areas in the court-yard of said building, and for flagging the same, twelve thousand dollars. Patent Office.

For collection of agricultural statistics, investigations for promoting agriculture and rural economy, and the procurement, propagation, and distribution of cuttings and seeds, sixty thousand dollars: *Provided, however,* That in the expenditure of this appropriation, and especially in the selection of cuttings and seeds for distribution, due regard shall be had to the purposes of general cultivation, and the encouragement of the agricultural and rural interests of all parts of the United States. Agricultural statistics, seeds, cuttings, &c.
Distribution of seeds and cuttings.

For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter, two thousand dollars; so much thereof as may be necessary to be applied to the deficiency in that fund for the present fiscal year. Copyrights.

Exploring Expedition.—For preservation of the collections of the exploring and surveying expeditions of the government, four thousand dollars. Exploring expeditions.

For the distribution of the collections of the exploring and surveying expeditions of the government, and the construction of additional cases to receive such part of said collections as may be retained by the government, six thousand dollars; such distribution to be only to institutions willing to receive the same, and at their own expense.

Institution of the Deaf, Dumb, and Blind.—For salaries and incidental expenses of the institution of the deaf, dumb, and blind, in the District of Columbia, three thousand dollars. Deaf, dumb, and blind.

- Eighth Census.** For expenses of taking the eighth census of the inhabitants of the United States, one hundred and ninety thousand dollars.
- Botanic Garden.** *Botanic Garden.*—For grading, draining, procuring manure, tools, fuel, and repairs, purchasing trees and shrubs for botanic garden, to be expended under the direction of the Library Committee of Congress, three thousand three hundred dollars.
- For pay of horticulturists and assistants, in the botanic garden and green-houses, to be expended under the direction of the Library Committee of Congress, five thousand one hundred and twenty-one dollars and fifty cents.
- Survey of public lands.** *Survey of the Public Lands.*—For surveying the public lands, (exclusive of California, Oregon, Washington, New Mexico, Kansas, Nebraska, and Utah,) including incidental expenses and island surveys in the interior, and all other special and difficult surveys demanding augmented rates, to be apportioned and applied to the several surveying districts, according to the exigencies of the public service, including expenses of selecting swamp lands, and the compensation and expenses to survey or to locate private land claims in Louisiana, in addition to the unexpended balances of all former appropriations, fifty thousand dollars.
- California.** For surveying the public lands and private land claims in California, to be disbursed at the rates prescribed by law for the different kinds of work, twenty thousand dollars.
- New Mexico.** For surveying the public lands and private land claims in New Mexico, ten thousand dollars.
- Kansas and Nebraska.** For surveying the public lands in Kansas and Nebraska, also outlines of Indian reservations, twenty thousand dollars.
- Clerk on special service.** For salary of the clerk detailed for the special service in the General Land Office to attend to the unfinished surveys in the States where the offices of the surveyors general have been closed, two thousand dollars.
- Oregon.** For surveying the public lands in Oregon, to be disbursed at the rates now authorized by law, fifteen thousand dollars.
- Washington Territory.** For surveying the public lands in Washington Territory, at the rates now authorized by law, fifteen thousand dollars: *Provided*, that the clause of the act approved the twenty-third of June, eighteen hundred and sixty, appropriating eight thousand dollars to carry into effect the act approved the sixteenth day of May, eighteen hundred and sixty, creating an additional land district in Washington Territory, be, and the same is hereby, repealed.
- For preparing the unfinished records of public and private surveys, to be transferred to the State authorities, under the provisions of the act of twelfth of June, eighteen hundred and forty, in those districts where the surveys are about being completed, per act of twenty-second of January, eighteen hundred and fifty-three, eight thousand eight hundred dollars.
- 1840, ch. 36.
Vol. v. p. 384.
1853, ch. 24.
Vol. x. p. 152.
- To supply deficiency in appropriation for expenses for the present fiscal year, of transportation of bullion from the assay-office, at New York, to the mint at Philadelphia, for coinage, twenty-nine thousand dollars.
- For constructing on each floor of the government building called "Winder's Building" the necessary water-closets, urinals, sloop-water sinks, and hose-cocks, three thousand four hundred and fifty dollars.
- Mint at Philadelphia.** For incidental and contingent expenses, including wastage of the mint at Philadelphia, in addition to the sum appropriated by the act "making appropriations for the legislative, executive, and judicial expenses of the government," fifteen thousand dollars.
- For incidental and contingent expenses, including wastage, at the mint.
- San Francisco.** at San Francisco, in addition to the sum appropriated by the act "making appropriations for the legislative, executive, and judicial expenses of the government," twenty thousand dollars.
- 1819, ch. 101.
Vol. iii. p. 532.
- To enable the President of the United States to carry into effect the act of third March, eighteen hundred and nineteen, and any subsequent

acts now in force, for the suppression of the slave-trade, nine hundred thousand dollars; and the President is hereby authorized to allow such compensation, not exceeding in the whole ten thousand dollars, to the United States marshals, district attorneys, and any other persons employed in enforcing said laws, as may to him seem proper, for any services they may render, for which no allowance can now be made under existing laws: *Provided*, That in no case shall the compensation made to any district attorney or marshal in any one year exceed the sum of six thousand dollars, the maximum amount now allowed by law, and at that rate for any period of time less than one year.

To pay for labor on, and materials furnished for Post Office extension, sixteen thousand dollars.

For the Capitol extension, two hundred and fifty thousand dollars.

To enable the Secretary of the Senate to make the payment authorized by the resolution of the Senate of twentieth March, one thousand eight hundred and sixty, to Mrs. E. A. Linn, two thousand six hundred and seventy-two dollars.

For compensation of Superintendent of Indian Affairs and three additional agents in Washington Territory, for the fiscal year ending thirtieth June, eighteen hundred and sixty-one, two thousand five hundred and twenty-seven dollars and seventy-seven cents.

For compensation of Superintendent of Indian Affairs and three additional agents in Washington Territory, for the fiscal year ending June thirty, eighteen hundred and sixty-two, seven thousand dollars.

For payment of balance due contractor for building the custom-houses at Belfast and Ellsworth, Maine, four hundred and forty-eight dollars and seventy-nine cents.

SEC. 2. *And be it further enacted*, That there is hereby appropriated, in like manner, for the purpose of completing, and providing proper furniture for the new court-house and post-office at Indianapolis, Indiana, the sum of five thousand dollars.

SEC. 3. *And be it further enacted*, That the sum of sixty thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, the same being a reappropriation of the same amount, (which sum was appropriated by law on the third March, eighteen hundred and fifty-seven, and reverted to the surplus fund of the Treasury,) to construct the sewer on Flushing avenue, Brooklyn, New York, in continuation of that now constructed to such point on said avenue as shall be determined by the Navy Department; thence through the United States grounds, or through Vanderbilt avenue, as shall be decided by said Department, to the waters of the Wallabout: *Provided*, The city of Brooklyn will agree to pay one half of the expense of said sewer on Flushing avenue.

SEC. 4. *And be it further enacted*, That to enable the Superintendent of Public Printing to execute the binding and ruling, and to furnish blank books for the legislative, executive, and judicial departments after the fourth of March, eighteen hundred and sixty-one, in accordance with the provisions of the joint resolution of June twenty-third, eighteen hundred and sixty, in relation to the public printing, the Secretary of the Treasury be, and is hereby, authorized to place to the credit of the Superintendent of Public Printing the sums heretofore appropriated for binding, ruling, and blank books for said Departments respectively; and should the printers or binders to the present Congress, or either of them, decline or fail to execute any of the printing or binding ordered by the Senate or House of Representatives during the present session, the Superintendent of the Public Printing is hereby authorized and directed to cause the printing or binding so ordered and declined to be executed under the provisions of the joint resolution heretofore referred to.

Territory of Colorado. — For salaries of governor, three judges, and secretary, ten thousand five hundred dollars.

Allowance to attorneys, marshals, &c.

1862, ch. 41, § 3.
Post, p. 369.

Proviso.

Post-Office extension.

Capitol extension.

Indian superintendent and agents in Washington Territory.

Custom-houses at Belfast and Ellsworth.

Court-house and post-office at Indianapolis.

Sewer on Flushing avenue, New York.

1857, ch. 111.
Vol. xi. p. 245.

City of Brooklyn to pay one half.

Public binding, &c.

Res. 1860, No. 25.
Ante, p. 117.

Territory of Colorado.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the Legislative Assembly, officers, clerks, and contingent expenses of the Assembly, twenty thousand dollars.

Extension of
Treasury build-
ing.

SEC. 5. *And be it further enacted,* That the sum of eighty thousand dollars, or so much thereof as may be necessary for the purpose, be, and the same is hereby, appropriated for the payment for materials delivered for the extension of the Treasury building under existing contracts; and that the further sum of two hundred and fifty thousand dollars be also appropriated for the continuance of the work of such extension.

Accounts of
Brigham Young
to be examined.

SEC. 6. *And be it further enacted,* That the Commissioner of Indian Affairs be directed to examine the accounts of Brigham Young, late governor of Utah Territory, and ex-officio superintendent of Indian affairs, for disbursements alleged to have been made by him on account of the Indian service in said Territory, and report a statement thereof to Congress.

Terms of dis-
trict court in Min-
nesota.

1859, ch. 74.
Vol. xi. p. 402.

SEC. 7. *And be it further enacted,* That the judge of the district court for the district of Minnesota is hereby required to hold a term of said court in each year at Mankato, to commence on the first Monday in June, instead of at Preston, as now required by law; and so much of the act of Congress approved March third, eighteen hundred and fifty-nine, requiring the said judge to hold a term of said court at Preston, is hereby repealed.

Payment to
Michael Cassin.

SEC. 8. *And be it further enacted,* That the treasurer of the branch mint at San Francisco, California, be, and he is hereby, directed to pay to Michael Cassin, administrator of the estate of James Cassin, deceased, the sum of three hundred and ninety-one dollars, being the value of twenty-two ounces of gold dust deposited by James Cassin, deceased, in the year eighteen hundred and fifty-five, and by mistake credited to John Cassin.

Accounts of
Charles J. Helm
to be settled, and
certain expenses
allowed.

SEC. 9. *And be it further enacted,* That the Secretary of State be directed to audit and settle the accounts of Charles J. Helm, consul-general of the United States at Havana, upon the principles of justice and equity, for the expenses incurred by him in preparing and making the reports and returns, and bringing up the arrearages of the business of his predecessor in that office, and for extra clerk-hire in his office, and for moneys advanced to destitute American citizens, and for extra rent, and to pay the amount thereof, not exceeding the sum of eight thousand seven hundred and sixty-eight dollars, out of any money in the Treasury not otherwise appropriated.

Purchases and
contracts, except
for personal ser-
vices, &c., to be
made after adver-
tising for propo-
sals.

SEC. 10. *And be it further enacted,* That all purchases and contracts for supplies or services, in any of the Departments of the Government, except for personal services, when the public exigencies do not require the immediate delivery of the article or articles, or performance of the service, shall be made by advertising a sufficient time previously for proposals respecting the same. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract at the places, and in the manner in which such articles are usually bought and sold, or such services engaged between individuals. No contract or purchase shall hereafter be made, unless the same be authorized by law or be under an appropriation adequate to its fulfilment, except in the War and Navy Departments, for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year. And the third section of the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending the thirtieth of June, eighteen hundred and sixty-one," shall be, and the same is hereby, repealed.

Contracts, &c.
not to be made
unless authorized
by law, except,
&c.

Act 1860, ch.
205, § 3, repealed.
Ante, p. 103.

APPROVED, March 2, 1861.

CHAP. LXXXV.—An Act making Appropriations for the current and contingent Expenses of the Indian Department, and for fulfilling Treaty Stipulations with various Indian Tribes, for the Year ending June thirty, eighteen hundred and sixty-two.

March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian department, and fulfilling treaty stipulations with the various Indian tribes —

Indian appropriation.

For the current and contingent expenses of the Indian Department, namely :

For the pay of superintendents of Indian affairs and of the several Indian agents, per acts of fifth June, eighteen hundred and fifty, twenty-seventh February, eighteen hundred and fifty-one, thirty-first July, eighteen hundred and fifty-four, third March, eighteen hundred and fifty-five, eighteenth August, eighteen hundred and fifty-six, third March, eighteen hundred and fifty-seven, nineteenth June, eighteen hundred and sixty, twenty-fifth June, eighteen hundred and sixty, and per fifteenth article of treaty of nineteenth April, eighteen hundred and fifty-eight, with the Yanctons, eighty-six thousand four hundred and fifty dollars.

Pay of superintendents.
1850, ch. 16.
1851, ch. 14.
1854, ch. 157.
1855, ch. 204.
1856, ch. 128.
1857, ch. 90.
1860, ch. 157.
1860, ch. 213.
Vol. xi. p. 747.

For the pay of the several Indian sub-agents, per act of thirty-first July, eighteen hundred and fifty-four, six thousand dollars.

Sub-agents.
1854, ch. 167.

For the pay of clerk to superintendent at St. Louis, Missouri, per act of twenty-seventh June, eighteen hundred and forty-six, one thousand two hundred dollars.

Clerk at St. Louis.
1846, ch. 34.
Vol. ix. p. 21.

For the pay of interpreters, per acts of thirtieth June, eighteen hundred and thirty-four, twenty-seventh February, eighteen hundred and fifty-one, and eighteenth August, eighteen hundred and fifty-six, twenty-four thousand nine hundred dollars.

Interpreters.
1834, ch. 162.
1851, ch. 14.
1856, ch. 128.

For presents to Indians, five thousand dollars.

Presents.

For provisions for Indians, eleven thousand eight hundred dollars.

Provisions.

For buildings at agencies and repairs thereof, ten thousand dollars.

Buildings and repairs.
Contingencies.

For contingencies of the Indian department, thirty-six thousand five hundred dollars.

For the employment of temporary clerks by superintendents of Indian affairs on such occasions and for such periods of time as the Secretary of the Interior may deem necessary to the public service, five thousand dollars.

Temporary clerks.

For fulfilling treaty stipulations with the various Indian tribes :

Treaty stipulations.
Blackfoot Nation.

Blackfoot Nation.—For sixth of ten instalments as annuity, to be expended in the purchase of such goods, provisions, and other useful articles as the President, at his discretion, may from time to time determine, per ninth article of the treaty of seventeenth October, eighteen hundred and fifty-five, twenty thousand dollars.

Vol. xi. p. 659.

For sixth of ten instalments as annuity, to be expended in establishing and instructing them in agricultural and mechanical pursuits, and in educating their children, and promoting civilization and Christianity, at the discretion of the President, per tenth article of the treaty of seventeenth October, eighteen hundred and fifty-five, fifteen thousand dollars.

Chasta, Scoton, and Umpqua Indians.—For seventh of fifteen instalments of annuity, to be expended as directed by the President, per third article treaty eighteenth November, eighteen hundred and fifty-four, two thousand dollars.

Chasta, Scoton, and Umpqua Indians.
Vol. x. p. 1122.

For seventh of fifteen instalments for the pay of a farmer, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand dollars.

For seventh of ten instalments for pay of physician, medicines, and expense of care of the sick, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand five hundred dollars.

For seventh of fifteen instalments for pay of teachers and purchase of books and stationery, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of
Lake Superior.
Vol. vii. p. 592.
Vol. x. p. 1109.

Chippewas of Lake Superior.—For two-thirds of twentieth of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight thousand three hundred and thirty-three dollars and thirty-three cents.

For two-thirds of twentieth of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight hundred dollars.

For two-thirds of twentieth of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, seven thousand dollars.

For two-thirds of twentieth of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For two-thirds of twentieth of twenty-five instalments for the pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For two-thirds of twentieth of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For seventh of twenty instalments in coin, goods, household furniture, and cooking utensils, agricultural implements and cattle, carpenters' and other tools and building materials, and for moral and educational purposes, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, nineteen thousand dollars.

For seventh of twenty instalments for six smiths and assistants, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, five thousand and forty dollars.

For seventh of twenty instalments for the support of six smiths' shops, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and twenty dollars.

For fifth of twenty instalments for the seventh smith and assistant, and support of shop, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of a smith, assistant, and shop for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of two farmers for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of
the Mississippi.
Vol. vii. p. 592.
Vol. x. p. 1109.

Chippewas of the Mississippi.—For one-third of twentieth of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four thousand one hundred and sixty-six dollars and sixty-seven cents.

For one-third of twentieth of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and

forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four hundred dollars.

For one-third of twentieth of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three thousand five hundred dollars.

For one-third of twentieth of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one-third of twentieth of twenty-five instalments for purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one-third of twentieth of twenty-five instalments for the support of two smiths' shops, including the pay of two smiths and assistants, and furnishing iron and steel, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one-third of twentieth of twenty-five instalments for pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three hundred and thirty-three dollars and thirty-three cents.

For seventh of twenty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, twenty thousand dollars.

Vol. xi. p. 1165

Chippewa, Pillager, and Lake Winnibigoshish Bands.—For seventh of thirty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, ten thousand six hundred and sixty-six dollars and sixty-six cents.

Chippewa, Pillager, and Lake Winnibigoshish Indians.

Vol. x. p. 1165.

For seventh of thirty instalments of annuity in goods, per third article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

For seventh of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five, four thousand dollars.

For seventh of twenty instalments for purposes of education, per third article treaty twenty-second February, eighteen hundred and fifty-five, three thousand dollars.

For seventh of fifteen annual instalments for support of two smiths and smiths' shops, per third article treaty twenty-second February, eighteen hundred and fifty-five, two thousand one hundred and twenty dollars.

For pay of an engineer to grist and saw mill at Leech Lake, six hundred dollars.

Chippewas of Saginaw, Swan Creek, and Black River.—For sixth of ten equal annual instalments in coin, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of second August, eighteen hundred and fifty-five, ten thousand dollars.

Chippewas of Saginaw, Swan Creek, and Black River.

Vol. xi. p. 634

For sixth instalment for the support of one blacksmith shop for ten years, per second article of the treaty of second August, eighteen hundred and fifty-five, twelve hundred and forty dollars.

Chippewas, Menomonees, Winnebagoes, and New York Indians.—For education during the pleasure of Congress, per fifth article treaty eleventh August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

Chippewas, Menomonees, Winnebagoes, and New York Indians.

Vol. vii. p. 304.

Chickasaws.
1799, ch. 11.
Vol. i. p. 618.
Choctaws.

Vol. vii. p. 99.
Vol. xi. p. 614.

Vol. vii. p. 213.

Vol. vii. p. 235.

Chickasaws. — For permanent annuity in goods, per act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars.

Choctaws. — For permanent annuity, per second article treaty sixteenth November, eighteen hundred and five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, three thousand dollars.

For permanent annuity for support of light-horsemen, per thirteenth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent provision for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six thousand dollars.

For permanent provision for blacksmith, per sixth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent provision for iron and steel, per ninth article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article of treaty twenty-second June, eighteen hundred and fifty-five, three hundred and twenty dollars.

For interest on five hundred thousand dollars, at five per centum, for education and other beneficial purposes, to be applied under the direction of the general council of the Choctaws, in conformity with the provisions contained in the tenth and thirteenth articles of the treaty of twenty-second June, eighteen hundred and fifty-five, twenty-five thousand dollars.

Comanches,
Kiowas, and
Apaches of Ar-
kansas River.
Vol. x. p. 1014.

Comanches, Kiowas, and Apaches of Arkansas River. — For eighth of ten instalments for the purchase of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, eighteen thousand dollars.

For expenses of transportation of the eighth of ten instalments of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, seven thousand dollars.

Creeks.

Vol. vii. p. 36.
Vol. xi. p. 700.

Creeks. — For permanent annuity in money, per fourth article treaty seventh August, seventeen hundred and ninety, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand five hundred dollars.

Vol. vii. p. 69.

For permanent annuity in money, per second article treaty sixteenth June, eighteen hundred and two, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

Vol. vii. p. 287.

For permanent annuity in money, per fourth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, twenty thousand dollars.

For permanent provision for blacksmith and assistant, and for shop and tools, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

For permanent provision for iron and steel for shop, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For permanent provision for the pay of a wheelwright, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For blacksmith and assistant and shop and tools during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hun-

dred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

Vol. vii. p. 419.
Vol. xi. p. 700.

For iron and steel for shop during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For wagon-maker during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For assistance in agricultural operations during the pleasure of the President, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For education during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand dollars.

For the fifth of seven additional instalments for two blacksmiths, assistants, shops, and tools, per thirteenth article treaty twenty-fourth March, eighteen hundred and thirty-two, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand six hundred and eighty dollars.

Vol. vii. p. 368.

For the fifth of seven additional instalments for iron and steel for shops, per thirteenth article treaty twenty-fourth March, eighteen hundred and thirty-two, and fifth article treaty seventh August, eighteen hundred and fifty-six, five hundred and forty dollars.

For thirty-first of thirty-three instalments for education, per fourth article treaty fourth January, eighteen hundred and forty-five, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

Vol. ix. p. 822.

For eighteenth of twenty instalments for education, per fourth article treaty fourth January, eighteen hundred and forty-five, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For five per centum interest on two hundred thousand dollars for purposes of education, per sixth article treaty seventh August, eighteen hundred and fifty-six, ten thousand dollars.

Delawares. — For life annuity to chief, per private article to supplemental treaty twenty-fourth September, eighteen hundred and twenty-nine, to treaty of third October, eighteen hundred and eighteen, one hundred dollars.

Delawares.
Vol. vii. p. 188.

For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land set apart by treaty of eighteen hundred and twenty-nine for education, per resolution of the Senate nineteenth January, eighteen hundred and thirty-eight, and fifth article treaty sixth May, eighteen hundred and fifty-four, two thousand three hundred and four dollars.

Vol. vii. p. 327.

Vol. x. p. 1049.

For last of eight equal instalments for payment of five chiefs, per sixth article treaty sixth May, eighteen hundred and fifty-four, one thousand two hundred and fifty dollars.

Iowas. — For interest in lieu of investment on fifty-seven thousand five hundred dollars to the first July, eighteen hundred and sixty-two, at five per centum, for education or other beneficial purposes, under the direction of the President, per second article treaty nineteenth October, eighteen hundred and thirty-eight, and ninth article treaty seventeenth May, eighteen hundred and fifty-four, two thousand eight hundred and seventy-five dollars.

Iowas.

Vol. vii. p. 568.
Vol. x. p. 1071

Kansas. — For interest in lieu of investment on two hundred thousand

Kansas.

Vol. ix. p. 842.

dollars, at five per centum, per second article treaty fourteenth January, eighteen hundred and forty-six, ten thousand dollars.

Kickapoos.

Vol. x. p. 1078.

Kickapoos.—For eighth instalment of interest, at five per centum, on one hundred thousand dollars for education, per second article treaty eighteenth May, eighteen hundred and fifty-four, five thousand dollars.

For the payment of this sum as the eighth instalment upon two hundred thousand dollars, to be paid in eighteen hundred and sixty-one, per second article treaty eighteenth May, eighteen hundred and fifty-four, nine thousand dollars.

Menomonees.

Vol. ix. p. 952.

Vol. x. p. 1065.

Menomonees.—For sixth of twelve instalments for continuing and keeping up a blacksmith shop, and providing the usual quantity of iron and steel, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, nine hundred and sixteen dollars and sixty-six cents.

For sixth of ten instalments of annuity upon two hundred thousand dollars, balance of three hundred and fifty thousand dollars, for cession of lands, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, twenty thousand dollars.

For sixth of fifteen instalments for pay of a miller, per third article treaty twelfth May, eighteen hundred and fifty-four, six hundred dollars.

Miamies of Kansas.

Vol. vii. p. 191.

Vol. x. p. 1095.

Miamies of Kansas.—For permanent provision for blacksmith and assistant, and iron and steel for shop, per fifth article treaty sixth October, eighteen hundred and eighteen, and fourth article treaty fifth June, eighteen hundred and fifty-four, nine hundred and forty dollars.

For permanent provision for miller, in lieu of gunsmith, per fifth article treaty sixth October, eighteen hundred and eighteen, fifth article treaty twenty-third October, eighteen hundred and thirty-four, and fourth article treaty of fifth June, eighteen hundred and fifty-four, six hundred dollars.

For interest on fifty thousand dollars, at five per centum, for educational purposes, per third article treaty fifth June, eighteen hundred and fifty-four, two thousand five hundred dollars.

For second of twenty instalments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty-four, seven thousand five hundred dollars.

Miamies of Indiana.

Vol. vii. p. 582.

Vol. x. p. 1095.

Miamies of Indiana.—For interest on two hundred and twenty-one thousand two hundred and fifty-seven dollars and eighty-six cents, at five per centum, for Miami Indians of Indiana, per Senate's amendment to fourth article treaty fifth June, eighteen hundred and fifty-four, eleven thousand and sixty-two dollars and eighty-nine cents.

Miamies, Eel River.

Vol. vii. p. 51.

Miamies, Eel River.—For permanent annuity in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five, five hundred dollars.

Vol. vii. p. 91.

For permanent annuity in goods or otherwise, per third article treaty twenty-first August, eighteen hundred and five, two hundred and fifty dollars.

Vol. vii. p. 114.

For permanent annuity in goods or otherwise, per third and separate article to treaty thirtieth September, eighteen hundred and nine, three hundred and fifty dollars.

Nisqually, Puyallup, and other tribes and bands of Indians.

Vol. x. p. 1134.

Nisqually, Puyallup, and other Tribes and Bands of Indians.—For seventh instalment, in part payment for relinquishment of title to lands to be applied to beneficial objects, per fourth article treaty twenty-sixth December, eighteen hundred and fifty-four, fifteen hundred dollars.

For seventh of twenty instalments for pay of instructor, smith, physician, carpenter, farmer, and assistant if necessary, per tenth article treaty twenty-sixth December, eighteen hundred and fifty-four, six thousand seven hundred dollars.

Omahas.

Vol. x. p. 1044.

Omahas.—For the fourth of ten instalments of this amount, being second of the series, in money or otherwise, per fourth article treaty sixteenth March, eighteen hundred and fifty-four, thirty thousand dollars.

For seventh of ten instalments for support of a miller, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For seventh of ten instalments for support of blacksmith and assistant, and iron and steel for shop, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For seventh of ten instalments for support of farmer, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill provided for by the eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smith's shop with tools, and keeping the same in repair, per eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two hundred dollars.

Osages.—For interest on sixty-nine thousand one hundred and twenty dollars, at five per centum, being the value of fifty-four sections of land set apart second June, eighteen hundred and twenty-five, for educational purposes, per Senate resolution nineteenth January, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars.

Osages.

Ottoes and Missourias.—For the fourth of ten instalments of this amount, being the second series, in money or otherwise, per fourth article treaty fifteenth March, eighteen hundred and fifty-four, thirteen thousand dollars.

Ottoes and
Missourias.

Vol. x. p. 1039

For seventh of ten instalments for pay of miller, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For seventh of ten instalments for blacksmith and assistant, and iron and steel for shop, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For seventh of ten instalments for farmer, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill provided for by the seventh article of the treaty of fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smith's shop with tools, and keeping the same in repair, per seventh article of the treaty fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two hundred dollars.

Ottawas and Chippewas of Michigan.—For sixth of ten equal annual instalments for educational purposes, to be expended under the direction of the President, according to the wishes of the Indians, so far as may be reasonable and just, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, eight thousand dollars.

Ottawas and
Chippewas of
Michigan.

Vol. xi. p. 623.

For sixth instalment for the support of four blacksmith shops for ten years, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, four thousand two hundred and forty dollars.

For sixth instalment of principal, payable annually for ten years, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, ten thousand dollars.

For interest on two hundred and forty-six thousand dollars, unpaid part of the principal sum of three hundred and six thousand dollars, for one year, at five per centum per annum, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, twelve thousand three hundred dollars.

For sixth of ten equal annual instalments on thirty-five thousand dol-

lars, in lieu of former treaty stipulations, to be paid per capita to the Grand River Ottawas, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, three thousand five hundred dollars.

Ottawas of
Kansas.
Vol. vii. p. 51.
Vol. vii. p. 105.
Vol. vii. p. 179.
Vol. vii. p. 220.

Ottawas of Kansas.—For their proportion of the permanent annuities in money, goods, or otherwise, payable under the fourth article of the treaty of third August, seventeen hundred and ninety-five, second article of the treaty of seventeenth November, eighteen hundred and seven, fourth article of the treaty of seventeenth September, eighteen hundred and eighteen, and fourth article of the treaty of twenty-ninth August, eighteen hundred and twenty-one, two thousand six hundred dollars.

Pawnees.
Vol. xi. p. 729.

Pawnees.—For fourth of five instalments in goods and such articles as may be necessary for them, per second article treaty twenty-fourth September, eighteen hundred and fifty-seven, forty thousand dollars.

For support of two manual-labor schools annually, during the pleasure of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, ten thousand dollars.

For pay of two teachers, under the direction of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For purchase of iron and steel, and other necessaries for the shop, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For pay of two blacksmiths, one of whom to be a gunsmith and tinsmith, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation of two strikers or apprentices in shop, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, four hundred and eighty dollars.

For fourth of ten instalments for farming utensils and stock during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For pay of farmer, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For third of ten instalments for pay of miller, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For third of ten instalments for pay of an engineer, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation to apprentices, to assist in working the mill, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For last of three instalments for the pay of six laborers, per seventh article treaty twenty-fourth September, eighteen hundred and fifty-seven, three thousand dollars.

Pottawatomies.
Vol. vii. p. 51.

Pottawatomies.—For permanent annuity in silver, per fourth article treaty third August, seventeen hundred and ninety-five, one thousand dollars.

Vol. vii. p. 114.

For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine, five hundred dollars.

Vol. vii. p. 185.

For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, two thousand five hundred dollars.

Vol. vii. p. 317.

For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight, two thousand dollars.

Vol. vii. p. 320.

For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.

Vol. vii. p. 379.

For life annuity to chief, per third article treaty twentieth October, eighteen hundred and thirty-two, two hundred dollars.

Vol. vii. p. 432.

For life annuity to chiefs, per third article treaty twenty-sixth September, eighteen hundred and thirty-three, seven hundred dollars.

For education during the pleasure of Congress, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and fourth article treaty twenty-seventh October, eighteen hundred and thirty-two, five thousand dollars. Vol. vii. p. 296.
Vol. vii. p. 317.
Vol. vii. p. 379.

For permanent provision for the payment of money in lieu of tobacco, iron, and steel, per second article treaty twentieth September, eighteen hundred and twenty-eight, and tenth article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, three hundred dollars. Vol. ix. p. 855

For permanent provision for three blacksmiths and assistants, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, two thousand one hundred and sixty dollars.

For permanent provision for iron and steel for shops, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, six hundred and sixty dollars.

For permanent provision for fifty barrels of salt, per second article of treaty twenty-ninth July, eighteen hundred and twenty-nine, two hundred and fifty dollars.

For interest on six hundred and forty-three thousand dollars, at five per centum, per seventh article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, thirty-two thousand one hundred and fifty dollars.

Pottawatomies of Huron.—For permanent annuity in money or otherwise, per second article treaty seventeenth November, eighteen hundred and seven, four hundred dollars. Pottawatomies of Huron. Vol. vii. p. 105.

Quapaws.—For education during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand dollars. Quapaws. Vol. vii. p. 425.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand and sixty dollars.

For farmer during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, six hundred dollars.

Rogue Rivers.—For eighth of sixteen instalments in blankets, clothing, farming utensils, and stock, per third article treaty tenth September, eighteen hundred and fifty-three, two thousand five hundred dollars. Rogue Rivers. Vol. x. p. 1018.

Sacs and Foxes of Mississippi.—For permanent annuity in goods or otherwise, per third article treaty third November, eighteen hundred and four, one thousand dollars. Sacs and Foxes of Mississippi. Vol. vii. p. 85.

For last of thirty instalments as annuity in specie, per third article treaty twenty-first September, eighteen hundred and thirty-two, twenty thousand dollars. Vol. vii. p. 375

For last of thirty instalments for gunsmith, per fourth article treaty twenty-first September, eighteen hundred and thirty-two, six hundred dollars.

For the last of thirty instalments for iron and steel for shop, per fourth article treaty twenty-first September, eighteen hundred and thirty-two, two hundred and twenty dollars.

For last of thirty instalments for blacksmith and assistant, shop, and tools, per fourth article treaty twenty-first September, eighteen hundred and thirty-two, eight hundred and forty dollars.

For last of thirty instalments for iron and steel for shop, per fourth article treaty twenty-first September, eighteen hundred and thirty-two, two hundred and twenty dollars.

For last of thirty instalments for forty barrels of salt and forty kegs of tobacco, per fourth article treaty twenty-first September, eighteen hundred and thirty-two, one thousand dollars.

Vol. vii. p. 540. For interest on two hundred thousand dollars, at five per centum, per second article treaty twenty-first October, eighteen hundred and thirty-seven, ten thousand dollars.

Vol. vii. p. 596. For interest on eight hundred thousand dollars, at five per centum, per second article treaty eleventh October, eighteen hundred and forty-two, forty thousand dollars.

Sacs and Foxes of Missouri. *Sacs and Foxes of Missouri.* — For interest on one hundred and fifty-seven thousand four hundred dollars, at five per centum, under the direction of the President, per second article treaty twenty-first October, eighteen hundred and thirty-seven, seven thousand eight hundred and seventy dollars.

Seminoles. *Seminoles.* — For the fifth of ten instalments for the support of schools, per eighth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

Vol. xi. p. 702. For the fifth of ten instalments for agricultural assistance, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For the fifth of ten instalments for the support of smiths and smiths' shops, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand two hundred dollars.

For five per centum interest on two hundred and fifty thousand dollars, to be paid as annuity, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

For interest on two hundred and fifty thousand dollars, at five per centum, to be paid as annuity, they having joined their brethren west, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

Senecas. *Senecas.* — For permanent annuity in specie, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, five hundred dollars.

Vol. vii. p. 349. For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, five hundred dollars.

For blacksmith and assistant, shop and tools, and iron and steel, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, one thousand and sixty dollars.

For miller during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, six hundred dollars.

Senecas of New York. *Senecas of New York.* — For permanent annuity, in lieu of interest on stock, per act of nineteenth February, eighteen hundred and thirty-one, six thousand dollars.

1846, ch. 34. For interest, in lieu of investment, on seventy-five thousand dollars, at five per centum, per act of twenty-seventh June, eighteen hundred and fifty-six, three thousand seven hundred and fifty dollars.

Vol. ix. p. 35. For interest, at five per centum, on forty-three thousand and fifty dollars, transferred from Ontario Bank to the United States Treasury, per act of twenty-seventh June, eighteen hundred and forty-six, two thousand one hundred and fifty-two dollars and fifty cents.

Senecas and Shawnees. *Senecas and Shawnees.* — For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars.

Vol. vii. p. 179. For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per fourth article treaty twentieth July, eighteen hundred and thirty-one, one thousand and sixty dollars.

Shawnees. *Shawnees.* — For permanent annuity for educational purposes, per

- fourth article treaty third August, seventeen hundred and ninety-five, and third article treaty tenth May, eighteen hundred and fifty-four, one thousand dollars. Vol. vii. p. 61.
Vol. x. p. 1066
- For eighth instalment of interest, at five per centum, on forty thousand dollars for education, per third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.
- For permanent annuity for educational purposes, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, and third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars. Vol. vii. p. 160.
- Six Nations of New York.* — For permanent annuity in clothing and other useful articles, per sixth article treaty eleventh November, seventeen hundred and ninety-four, four thousand five hundred dollars. Six Nations of New York. Vol. vii. p. 46.
- Sioux of Mississippi.* — For interest on three hundred thousand dollars, at five per centum, per second article treaty twenty-ninth September, eighteen hundred and thirty-seven, fifteen thousand dollars. Sioux of Mississippi. Vol. vii. p. 538.
- For eleventh of fifty instalments of interest, at five per centum, on one million three hundred and sixty thousand dollars, per fourth article treaty twenty-third July, eighteen hundred and fifty-one, sixty-eight thousand dollars. Vol. x. p. 949.
- For eleventh of fifty instalments of interest, at five per centum, on one hundred and twelve thousand dollars, being the amount in lieu of the reservations set apart in the third article of Senate's amendment of twenty-third June, eighteen hundred and fifty-two, to treaty twenty-third July, eighteen hundred and fifty-one, five thousand six hundred dollars. Vol. x. p. 951.
- For eleventh of fifty instalments of interest, at five per centum, on one million one hundred and sixty thousand dollars, per fourth article treaty fifth August, eighteen hundred and fifty-one, fifty-eight thousand dollars. Vol. x. p. 955.
- For eleventh of fifty instalments of interest, at five per centum, on sixty-nine thousand dollars, being the amount allowed in lieu of the reservation of lands set apart by the third article of Senate's amendment of twenty-third June, eighteen hundred and fifty-two, to treaty fifth August, eighteen hundred and fifty-one, three thousand four hundred and fifty dollars.
- Treaty of Fort Laramie.* — For first of five instalments, at the discretion of the President, in provisions and merchandise, for payment of annuities, and transportation of the same, to certain tribes of Indians, seventy thousand dollars. Treaty of Fort Laramie. Vol. xi. p. 749.
- Umpquas (Cow Creek Band).* — For eighth of twenty instalments in blankets, clothing, provisions, and stock, per third article treaty nineteenth September, eighteen hundred and fifty-three, five hundred and fifty dollars. Umpquas (Cow Creek Band). Vol. x. p. 1027.
- Umpquas and Calapooias, of Umpqua Valley, Oregon.* — For seventh of ten instalments for the pay of a blacksmith, and furnishing shop, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand five hundred dollars. Umpquas and Calapooias, of Umpqua Valley Oregon. Vol. x. p. 1127.
- For seventh of fifteen instalments for the pay of a physician and purchase of medicines, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, two thousand dollars.
- For seventh of ten instalments for the pay of a farmer, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand dollars.
- For seventh of twenty instalments for the pay of a teacher, and purchase of books and stationery, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand four hundred and fifty dollars.
- Winnebagoes.* — For interest on one million one hundred thousand dollars, at five per centum, per fourth article treaty first November, eighteen hundred and thirty-seven, fifty-five thousand dollars. Winnebagoes. Vol. viii. p. 545.

Vol. ix. p. 878. For fifteenth of thirty instalments of interest on eighty-five thousand dollars, at five per centum, per fourth article treaty thirteenth October, eighteen hundred and forty-six, four thousand two hundred and fifty dollars.

Yancton tribe
of Sioux. *Yancton Tribe of Sioux.*— For third of ten instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle and reside upon their reservation, per fourth article treaty nineteenth April, eighteen hundred and fifty-eight, sixty-five thousand dollars.

Calapooias,
Molallas and
Clackamas of
Willamette Val-
ley. Vol. x. p. 1144. *Calapooias, Molalla, and Clackamas Indians, of Willamette Valley.*— For second of five instalments of annuity for beneficial objects, per second article treaty twenty-second January, eighteen hundred and fifty-five, eight thousand dollars.

Poncas. *Poncas.*— For third of five instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle upon the tract reserved for their future homes, per second article treaty twelfth March, eighteen hundred and fifty-eight, twelve thousand dollars.

Post, p. 997. For third of ten instalments for the establishment and maintenance of one or more manual-labor schools, under the direction of the President, per second article treaty twelfth March, eighteen hundred and fifty-eight, five thousand dollars.

For third of ten instalments, or during the pleasure of the President, to be expended in furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of the mill provided for in the first part of this article, as the Secretary of the Interior may consider advantageous and necessary for them, per second article treaty twelfth March, eighteen hundred and fifty-eight, seven thousand five hundred dollars.

Dwamish and
other allied tribes
in Washington
Territory. *Dwamish and other allied Tribes in Washington Territory.*— For second instalment on one hundred and fifty thousand dollars, under the direction of the President, per sixth article treaty twenty-second January, eighteen hundred and fifty-five, twelve thousand dollars.

Post, p. 927.

For second of twenty instalments for the establishment and support of an agricultural and industrial school, and to provide said school with a suitable instructor or instructors, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, three thousand dollars.

For second of twenty instalments for the establishment and support of a smith and carpenter's shop, and to furnish them with the necessary tools, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, five hundred dollars.

For second of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Makahs.
Post, p. 940.

Makah Tribe.— For second instalment on thirty thousand dollars, under the direction of the President, per fifth article treaty thirty-first January, eighteen hundred and fifty-five, two thousand and five hundred dollars.

For second of twenty instalments for the support of an agricultural and industrial school and for pay of teachers, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For second of twenty instalments for support of a smith and carpenter's shop, and to provide the necessary tools therefor, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, five hundred dollars.

For second of twenty instalments for the employment of a blacksmith,

carpenter, farmer, and physician who shall furnish medicines for the sick, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Walla-Walla, Cayuse, and Umatilla Tribes. — For second of five instalments of fifty thousand dollars for the erection of buildings on the reservations, fencing and opening farms, per third article treaty ninth June, eighteen hundred and fifty-five, twenty-five thousand dollars.

Walla-Wallas,
Cayuses, and
Umatillas.
Post, p. 947.

For second of five instalments of eight thousand dollars, under the direction of the President, per second article treaty ninth June, eighteen hundred and fifty-five, eight thousand dollars.

For second of twenty instalments for the purchase of all necessary mill fixtures and mechanical tools, medicines, and hospital stores, books and stationery for schools, and furniture for the employees, per fourth article treaty ninth June, eighteen hundred and fifty-five, three thousand dollars.

For second of twenty instalments for the pay and subsistence of one superintendent of farming operations, one farmer, two millers, one blacksmith, one wagon and plough maker, one carpenter and joiner, one physician, and two teachers, per fourth article treaty ninth June, eighteen hundred and fifty-five, eleven thousand two hundred dollars.

For second of twenty instalments for the pay of each of the head chiefs of the Walla-Walla, Cayuse, and Umatilla bands, the sum of five hundred dollars per annum, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand five hundred dollars.

For second of twenty instalments for salary for the son of Pio-pio-mox-mox, per fifth article treaty ninth June, eighteen hundred and fifty-five, one hundred dollars.

Yakima. — For second of five instalments for beneficial objects, at the discretion of the President, per fourth article treaty ninth June, eighteen hundred and fifty-five, ten thousand dollars.

Yakimas.
Post, p. 953.

For the second of twenty instalments for the support of two schools, one of which is to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For second of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty ninth June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For second of twenty instalments for the employment of one superintendent of farming and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty ninth June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For second of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For second of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and fixtures therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For second of twenty instalments for the pay of a physician, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For second of twenty instalments for keeping in repair the buildings required for the various employees, and for providing the necessary furniture therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For second of twenty instalments for the salary of such person as the said confederated tribes and bands of Indians may select to be their head chief, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

Nez Percés.
Post, p. 958.

Nez Perce Indians.—For second of five instalments for beneficial objects, at the discretion of the President, per fourth article treaty eleventh June, eighteen hundred and fifty-five, ten thousand dollars.

For second of twenty instalments for the support of two schools, one of which to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For second of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For second of twenty instalments for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For second of twenty instalments for the employment of one superintendent of farming, and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty eleventh June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For second of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For second of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For second of twenty instalments for pay of a physician, per fifth article treaty eleventh June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For second of twenty instalments for keeping in repair the buildings for the various employees, and for providing the necessary furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For second of twenty instalments for the salary of such person as the tribe may select to be their head chief, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

Flatheads and
other confederated
tribes.

Post, p. 976.

Flatheads and other Confederated Tribes.—For second instalment on one hundred and twenty thousand dollars for beneficial objects, at the discretion of the President, per fourth article treaty sixteenth July, eighteen hundred and fifty-five, six thousand dollars.

For second of twenty instalments for the support of an agricultural and industrial school, keeping in repair the buildings, and providing suitable furniture, books, and stationery, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For second of twenty instalments for providing suitable instructors therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For second of twenty instalments for keeping in repair blacksmiths', tin and gunsmiths', carpenters', and wagon and plough makers' shops, and providing necessary tools therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For second of twenty instalments for the employment of two farmers,

two millers, one blacksmith, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, seven thousand four hundred dollars.

For second of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For second of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For second of twenty instalments for pay of a physician, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand four hundred dollars.

For second of twenty instalments for keeping in repair the buildings required for the various employees, and furnishing necessary furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For second of twenty instalments for the pay of each of the head chiefs of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, fifteen hundred dollars.

Confederated Tribes and Bands of Indians in Middle Oregon.—For second of five instalments of eight thousand dollars for beneficial objects, at the discretion of the President, per second article treaty twenty-fifth June, eighteen hundred and fifty-five, eight thousand dollars.

Confederated
tribes and bands
in Middle Ore-
gon.
Post, p. 964.

For second of fifteen instalments for pay and subsistence of one farmer, one blacksmith, and one wagon and plough maker, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, three thousand five hundred dollars.

For second of twenty instalments for pay and subsistence of one physician, one sawyer, one miller, one superintendent of farming operations, and one school-teacher, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five thousand six hundred dollars.

For second of twenty instalments for payment of salary to the head chief of said confederated bands, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five hundred dollars.

Mole Indians.—For second of ten instalments for keeping in repair saw and flouring mills, and for the pay of necessary employees, the benefits of which to be shared alike by all the confederated bands, per second article treaty twenty-first December, eighteen hundred and fifty-five, one thousand five hundred dollars.

Molels.

Post, p. 981.

For second of five instalments (in addition to the instalments specified in the treaty of twenty-ninth November, eighteen hundred and fifty-four, with the Umpquas and Calapooias of Umpqua valley) for furnishing iron and steel and other materials for the smith and tin shops provided for in said treaty, and for the pay of the necessary mechanics, per second article treaty twenty-first December, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For second of ten instalments for the pay of a carpenter and joiner to aid in erecting buildings and making furniture for said Indians, and to furnish tools in said service, per second article treaty twenty-first December, eighteen hundred and fifty-five, two thousand dollars.

For pay of teachers to manual-labor school, for all necessary materials therefor, and for the subsistence of the pupils, per second article treaty twenty-first December, eighteen hundred and fifty-five, three thousand dollars.

For second of five instalments for the pay of an additional farmer, per second article treaty twenty-first December, eighteen hundred and fifty-five, eight hundred dollars.

Qui-nai-elts and
Quil-leh-utes.

Post, p. 972.

Qui-nai-elts and Quil-leh-ute Indians.—For second instalment on twenty-five thousand dollars for beneficial objects, under the direction of the President, per fourth article treaty first July, eighteen hundred and fifty-five, two thousand dollars.

For second of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable instructors, per tenth article treaty first July, eighteen hundred and fifty-five, two thousand five hundred dollars.

For second of twenty instalments for support of smith and carpenter shop, and to provide the necessary tools therefor, per tenth article treaty first July, eighteen hundred and fifty-five, five hundred dollars.

For second of twenty instalments for the employment of a blacksmith, carpenter, and farmer, and a physician who shall furnish medicine for the sick, per tenth article treaty first July, eighteen hundred and fifty-five, four thousand six hundred dollars.

S'Klallams.

Post, p. 934.

S'Klallams.—For second instalment on sixty thousand dollars, under the direction of the President, per fifth article treaty twenty-sixth January, eighteen hundred and fifty-five, five thousand dollars.

For second of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable teachers, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For second of twenty instalments for the employment of a blacksmith, carpenter, farmer, and a physician who shall furnish medicines for the sick, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Indian service
in New Mexico.

Indian Service in New Mexico.—For the general incidental expenses of the Indian service in New Mexico, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuit of civilized life, to be expended under the direction of the Secretary of the Interior, fifty thousand dollars.

Indian service
in country leased
from Choctaws.

Indian Service in the District of Country leased from the Choctaws. For the Indians lately residing in Texas.—For the expenses of colonizing, supporting, and furnishing agricultural implements and stock; pay of necessary employees; purchase of clothing, medicine, iron, and steel; establishment and maintenance of schools, and building houses for the Indians lately residing in Texas, in lieu of those abandoned in that State, to be expended under the direction of the Secretary of the Interior, twenty-two thousand eight hundred and twenty-five dollars.

Wichitas and
other affiliated
bands.

For the Wichitas and other affiliated Bands.—For the expenses of colonizing, supporting, and furnishing said bands with agricultural implements and stock, pay of necessary employees, purchase of clothing, medicines, iron, and steel, establishment and maintenance of schools, and building agency houses, to be expended under the direction of the Secretary of the Interior, thirty-seven thousand eight hundred dollars.

Indian service
in California.

Indian Service in California.—For the general incidental expenses of the Indian service in California, including travelling expenses of the superintending agents, seven thousand five hundred dollars.

For defraying the expenses of the removal and subsistence of Indians in California to reservations in that State, twenty-five thousand dollars.

Miscellaneous.
Annuities to
Poncas, &c.

Miscellaneous.—For insurance, transportation, and necessary expenses of the delivery of Pawnee, Ponca, and Yancton Sioux annuity, goods, and provisions, ten thousand dollars.

To tribes in
Minnesota and
Michigan.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Indian tribes in Minnesota and Michigan, twenty thousand three hundred and fifty dollars and sixty-two cents.

To Blackfeet
Indians.

For expenses of transportation and delivery of annuity goods to the Blackfeet Indians for the year, seventeen thousand dollars.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of Lake Superior, five thousand seven hundred and sixty-two dollars and sixty-three cents. To Chippewas of Lake Superior.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of the Mississippi, three thousand eight hundred and eighty-six dollars and seventy-five cents. To Chippewas of the Mississippi.

For the compensation of five extra clerks employed in the Indian office, under the act of fifth August, eighteen hundred and fifty-four, and third March, eighteen hundred and fifty-five, and under appropriations made from year to year, seven thousand dollars. Pay of extra clerks. 1854, ch. 267. Vol. x. p. 576. 1855, ch. 175. Vol. x. p. 643.

For compensation of one clerk in the Indian office, to enable the Secretary of the Interior to carry out the regulations prescribed to give effect to the seventh section of the act of March third, eighteen hundred and fifty-five, granting bounty lands to Indians, fourteen hundred dollars.

For compensation of two extra clerks in the Indian office, employed to carry out the treaty with the Chickasaws in the adjustment of their claims, two thousand eight hundred dollars.

For expenses attending the vaccination of Indians, two thousand five hundred dollars. Vaccination.

For survey of the Ponca reserve, two hundred and fifty dollars. Survey of Ponca reserve.

For compensation of five supervisors for the reservations in California, to instruct the Indians in husbandry, at one thousand eight hundred dollars each, per act nineteenth June, eighteen hundred and sixty, making nine thousand dollars. Pay of supervisors of reservations in California. 1860, ch. 157. Ante, p. 57.

For compensation of twenty laborers, to aid each of the supervisors, (which compensation not to exceed fifty dollars per month,) per act nineteenth June, eighteen hundred and sixty, twelve thousand dollars.

For defraying the expenses of the removal and subsistence of Indians in Oregon and Washington Territory, (not parties to any treaty,) and for pay of necessary employees, fifty thousand dollars. Removal, &c. of Indians in Oregon and Washington.

For the general incidental expenses of the Indian service in Oregon and Washington Territory, including insurance and transportation of annuities, goods, and presents, (where no special provision therefor is made by treaties,) and office and travelling expenses of the superintendent, agents, and sub-agents, thirty-five thousand dollars. Incidental expenses of service in Oregon and Washington.

For payment to the Sisseton and Wah-pa-ton bands of the Dakota or Sioux Indians, for their reservation on the Minnesota river, in the State of Minnesota, containing five hundred and sixty-nine thousand six hundred acres, at thirty cents per acre, one hundred and seventy thousand eight hundred and eighty dollars: *Provided*, That the said sum may be paid, at the discretion of the Secretary of the Treasury, in bonds of the United States authorized by law at the present Session of Congress. Payment to Sisseton and Wah-pa-ton bands of Indians. May be made in U. S. bonds.

For payment to the Med-a-wa-kan-ton and Wah-pa-koo-ta bands of the Dakota or Sioux Indians, for their reservation on the Minnesota river, in the State of Minnesota, containing three hundred and twenty thousand acres, at thirty cents per acre, ninety-six thousand dollars: *Provided*, That the said sum may be paid, at the discretion of the Secretary of the Treasury, in bonds of the United States authorized by law, at the present session of Congress. To the Med-a-wa-kan-ton and Wah-pa-koo-ta bands. May be made in U. S. bonds.

For general incidental expenses of the Indians in the Territory of Utah on reservations therein remote from emigrant routes, purchase of agricultural implements and stock cattle, and for the erection of houses, &c., including the necessary travelling expenses of the superintendent of Indian affairs, agents, clerk hire, &c., forty-five thousand dollars. Concentrating Indians in Utah Territory.

For salary of one superintending agent for the northern district of the Indian service in California from twenty-eighth of June, eighteen hundred and sixty, when he entered on his duties, to thirtieth of June, eighteen hundred and sixty-one, per act of nineteenth of June, eighteen hundred Salary of superintending agent in northern district of California.

1860, ch. 157.
Ante, p. 57.

and sixty, at three thousand six hundred dollars per annum, three thousand six hundred and twenty-nine dollars and sixty-seven cents.

In southern district of California.

For salary of one superintending agent for the southern district of the Indian service in California from nineteenth September, eighteen hundred and sixty, when he entered on his duties, to thirtieth June, eighteen hundred and sixty-one, at three thousand six hundred dollars per annum, per act of nineteenth June, eighteen hundred and sixty, two thousand five hundred and twelve dollars and eight cents.

Salaries of Indian supervisors.

For salaries of five supervisors to the Indian reservations in California to instruct the Indians in husbandry, at eighteen hundred dollars per annum each, for the half year ending thirtieth June, eighteen hundred and sixty-one, per act of nineteenth June, eighteen hundred and sixty, four thousand five hundred dollars.

Of laborers.

For compensation to twenty laborers for the five reservations in California, at fifty dollars per month, for the half year ending thirtieth June, eighteen hundred and sixty-one, per act nineteenth June, eighteen hundred and sixty, six thousand dollars.

Of additional agent in New Mexico.

For salary for an additional agent for the Indian service in New Mexico from twenty-second August, eighteen hundred and sixty, when he executed his official bond, to thirtieth June, eighteen hundred and sixty-one, per act of twenty-fifth June, eighteen hundred and sixty, at fifteen hundred dollars per annum, twelve hundred and eighty-nine dollars and ninety cents.

1860, ch. 213.
Ante, p. 113.

Of agent to Ponca Indians.

For salary for an agent to the Ponca Indians from the twenty-first August, eighteen hundred and sixty, when he executed his official bond, to thirtieth June, eighteen hundred and sixty-one, at fifteen hundred dollars per annum, per act twenty-fifth June, eighteen hundred and sixty, twelve hundred and ninety-six dollars and nineteen cents.

Of agent to Pawnees.

For salary for an agent to the Pawnees, from eighteenth October, eighteen hundred and sixty, when he executed his official bond, to thirtieth June, eighteen hundred and sixty-one, at fifteen hundred dollars per annum, per act of twenty-fifth June, eighteen hundred and sixty, one thousand and fifty-five dollars and seventy cents.

Of agent to Yancton Sioux.

For salary for an agent to the Yancton Sioux for the fiscal year ending the thirtieth June, eighteen hundred and sixty-one, per fifteenth article of treaty of nineteenth April, eighteen hundred and fifty-eight, one thousand five hundred dollars.

Vol. xi. p. 747.

Payment to Rogue River Indians for improvements.
Vol. x. p. 1018.

For payment for such permanent improvements as may have been made by claimants to land on the reserve named in the second article of treaty of tenth September, eighteen hundred and fifty-three, with the Rogue River Indians, per second and third articles of said treaty, two thousand dollars.

For arrears of interest.

For arrears of interest due first January, eighteen hundred and sixty-one, on seventy thousand dollars, five per centum bonds of the State of Indiana, seven thousand dollars.

For expenses of treaties with the Sioux.

For expenses attending the negotiation of the treaties of nineteenth June, eighteen hundred and fifty-eight, with the lower and upper Sioux Indians, per tenth articles of said treaties, fifteen thousand eight hundred and sixty-five dollars and seventy-six cents, or so much thereof as may be necessary for the expenses actually incurred.

Payment of \$500,000 to Choctaw nation under the treaty,—half money and half bonds.
Vol. xi. pp. 613, 614.

For payment to the Choctaw nation or tribe of Indians, on account of their claim under the eleventh and twelfth articles of the treaty with said nation or tribe made the twenty-second of June, eighteen hundred and fifty-five, the sum of five hundred thousand dollars; two hundred and fifty thousand dollars of which sum shall be paid in money; and for the residue, the Secretary of the Treasury shall cause to be issued to the proper authorities of the nation or tribe, on their requisition, bonds of the United States, authorized by law at the present session of Congress: *Provided*, That in the future adjustment of the claim of the Choctaws, under the

treaty aforesaid, the said sum shall be charged against the said Indians.

SEC. 2. *And be it further enacted*, That the salary of the agent for the Wichitas and other Indians in the country leased by the Choctaws to the United States, shall be fifteen hundred dollars per annum from and after the first day of July, eighteen hundred and sixty. Salary of agent to Wichitas, &c.

SEC. 3. *And be it further enacted*, That for the relief of destitute Indians, and with the view of preventing suffering and starvation among the Indian tribes who have failed in raising crops from the drought of last summer, there be appropriated the sum of fifty thousand dollars, and provided that the amount shall be expended, if necessary, within the present fiscal year. Relief of destitute Indians.

APPROVED, March 2, 1861.

CHAP. LXXXVI.—*An Act to provide a temporary Government for the Territory of Dakota, and to create the Office of Surveyor General therein.* March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the following limits, namely: commencing at a point in the main channel of the Red River of the North, where the forty-ninth degree of north latitude crosses the same; thence up the main channel of the same, and along the boundary of the State of Minnesota, to Big Stone lake; thence along the boundary line of the said State of Minnesota to the Iowa line; thence along the boundary line of the State of Iowa to the point of intersection between the Big Sioux and Missouri rivers; thence up the Missouri river, and along the boundary line of the Territory of Nebraska, to the mouth of the Niobrara or Running Water river; thence following up the same, in the middle of the main channel thereof, to the mouth of the Keha Paha or Turtle Hill river; thence up said river to the forty-third parallel of north latitude; thence due west to the present boundary of the Territory of Washington; thence along the boundary line of Washington Territory, to the forty-ninth degree of north latitude; thence east, along said forty-ninth degree of north latitude, to the place of beginning, be, and the same is hereby, organized into a temporary government, by the name of the Territory of Dakota: *Provided*, That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any State or Territory; but all such territory shall be excepted out of the boundaries and constitute no part of the Territory of Dakota, until said tribe shall signify their assent to the President of the United States to be included within the said Territory, or to affect the authority of the government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent for the government to make if this act had never passed: *Provided, further*, That nothing in this act contained shall be construed to inhibit the government of the United States from dividing said Territory into two or more Territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion thereof to any other Territory or State. 1863, ch. 70, § 4. Post, p. 701.

Territory of Dakota.

Boundaries.

Rights of the Indians not impaired.

Indian Territory excepted out of said boundaries.

Territory may be divided.

SEC. 2. *And be it further enacted*, That the executive power and authority in and over said Territory of Dakota, shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President Executive.

Governor—term of office, powers, and duties.

of the United States. The governor shall reside within said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian affairs, and shall approve all laws passed by the legislative assembly before they shall take effect; he may grant pardons for offences against the laws of said Territory, and reprieves for offences against the laws of the United States until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of said Territory, and shall take care that the laws be faithfully executed.

Secretary —
term, powers, and
duties.

SEC. 3. *And be it further enacted*, That there shall be a secretary of said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the legislative assembly hereinafter constituted, and all the acts and proceedings of the governor, in his executive department; he shall transmit one copy of the laws, and one copy of the executive proceedings, on or before the first day of December in each year, to the President of the United States, and, at the same time, two copies of the laws to the Speaker of the House of Representatives and the President of the Senate, for the use of Congress; and in case of the death, removal, or resignation, or other necessary absence of the governor from the Territory, the secretary shall have, and he is hereby authorized and required, to execute and perform all the powers and duties of the governor during such vacancy or necessary absence, or until another governor shall be duly appointed to fill such vacancy.

Legislative
power.
Assembly.
Council.

SEC. 4. *And be it further enacted*, That the legislative power and authority of said Territory shall be vested in the governor and a legislative assembly. The legislative assembly shall consist of a council and house of representatives. The council shall consist of nine members, which may be increased to thirteen, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The house of representatives shall consist of thirteen members, which may be increased to twenty-six, possessing the same qualifications as prescribed for members of the council, and whose term of service shall continue one year. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts for the election of the council and house of representatives, giving to each section of the Territory representation in the ratio of its population, (Indians excepted) as nearly as may be; and the members of the council and of the house of representatives shall reside in, and be inhabitants of, the district for which they may be elected, respectively. Previous to the first

House of Rep-
resentatives.

Apportionment.

Census.

First election.

election, the governor shall cause a census or enumeration of the inhabitants of the several counties and districts of the Territory to be taken; and the first election shall be held at such time and places, and be conducted in such manner, as the governor shall appoint and direct; and he shall, at the same time, declare the number of the members of the council and house of representatives to which each of the counties or districts shall be entitled under this act. The number of persons authorized to be elected, having the highest number of votes in each of said council districts, for members of the council, shall be declared by the governor to be duly elected to the council; and the person or persons authorized to be elected having the greatest number of votes for the house of representatives, equal to the number to which each county or district shall be entitled, shall be declared by the governor to be elected members of the house of representatives: *Provided*, That in case of a tie between two or more persons voted for, the governor shall order a new election, to supply the vacancy made by such tie. And the persons thus elected to the legislative assembly shall meet at such place and on such day as the governor shall appoint; but thereafter, the time, place, and manner of

Proviso.

holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the council and house of representatives, according to the population, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the legislative assembly: *Provided*, That no one session shall exceed the term of forty days, except the first, which may be extended to sixty days, but no longer.

Subsequent elections.

Length of sessions.

SEC. 5. *And be it further enacted*, That every free white male inhabitant of the United States above the age of twenty-one years, who shall have been a resident of said Territory at the time of the passage of this act, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters and of holding office at all subsequent elections shall be such as shall be prescribed by the legislative assembly: *Provided*, That the right of suffrage and of holding office shall be exercised only by citizens of the United States and those who shall have declared on oath their intention to become such, and shall have taken an oath to support the Constitution of the United States.

Voters at first election and eligibility to office.

At subsequent elections.

Proviso.

SEC. 6. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents; nor shall any law be passed impairing the rights of private property; nor shall any discrimination be made in taxing different kinds of property; but all property subject to taxation shall be in proportion to the value of the property taxed.

Extent and limits of legislative power.

SEC. 7. *And be it further enacted*, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the Territory. The governor shall nominate and, by and with the advice and consent of the legislative council, appoint all officers not herein otherwise provided for; and, in the first instance, the governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the legislative assembly, and shall lay off the necessary districts for members of the council and house of representatives, and all other officers.

Township, district, and county officers.

SEC. 8. *And be it further enacted*, That no member of the legislative assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased while he was a member, during the term for which he was elected, and for one year after the expiration of such term; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall hold any office under the government of said Territory.

Persons disqualified to hold office.

SEC. 9. *And be it further enacted*, That the judicial power of said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually, and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court, at such time and place as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of the justices of the peace,

Judicial power.

Supreme court.

District courts.

Jurisdiction.

- Of justices of the peace. shall be as limited by law: *Provided*, That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively, shall possess chancery as well as common-law jurisdiction, and authority for redress of all wrongs committed against the Constitution or laws of the United States, or of the Territory, affecting persons or property. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exception, and appeals, shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed.
- Of supreme and district courts. Writs of error and appeals from the final decisions of said supreme court shall be allowed, and may be taken to the Supreme Court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of the said district courts shall have and exercise the same jurisdiction, in all cases arising under the Constitution and laws of the United States as is vested in the circuit and district courts of the United States; and the said supreme and district courts of the said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are grantable by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws; and writs of error and appeals in all such cases shall be made to the supreme court of said Territory the same as in other cases.
- Clerk of district court, and register in chancery. The said clerk shall receive, in all such cases, the same fees which the clerks of the district courts of Nebraska Territory now receive for similar services.
- Writs of error, &c. SEC. 10. *And be it further enacted*, That there shall be appointed an attorney for said Territory, who shall continue in office for four years, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the present Territory of Nebraska. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, and who shall execute all processes issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States; he shall perform the duties, be subject to the same regulations and penalties, and be entitled to the same fees as the marshal of the district court of the United States for the present Territory of Nebraska, and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.
- Habeas corpus. SEC. 11. *And be it further enacted*, That the governor, secretary, chief justice and associate justices, attorney, and marshal, shall be nominated and, by and with the advice and consent of the Senate, appointed by the President of the United States. The governor and secretary to be appointed as aforesaid shall, before they act as such, respectively take an oath or affirmation before the district judge, or some justice of the peace in the limits of said Territory duly authorized to administer oaths and affirmations by the laws now in force therein, or before the chief justice or some associate justice of the Supreme Court of the United States, to support the Constitution of the United States and faithfully to
- Fees of clerk.
- Attorney, &c.
- Marshal, &c.
- Appointment of governor, &c.
- How qualified.

discharge the duties of their respective offices; which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken; and such certificates shall be received and recorded by the secretary among the executive proceedings; and the chief justice and associate justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said governor or secretary, or some judge or justice of the peace of the Territory who may be duly commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the secretary, to be by him recorded as aforesaid; and afterwards the like oath or affirmation shall be taken, certified, and recorded in such man[n]er and form as may be prescribed by law. The governor shall receive an annual salary of fifteen hundred dollars as governor, and one thousand dollars as superintendent of Indian affairs; the chief justice and associate justices shall each receive an annual salary of eighteen hundred dollars; the secretary shall receive an annual salary of eighteen hundred dollars. The said salaries shall be paid quarter-yearly at the Treasury of the United States. The members of the legislative assembly shall be entitled to receive three dollars each per day during their attendance at the session thereof, and three dollars for every twenty miles' travel in going to and returning from the said sessions, estimated according to the nearest usually travelled route. There shall be appropriated annually the sum of one thousand dollars, to be expended by the governor, to defray the contingent expenses of the Territory. There shall also be appropriated annually a sufficient sum, to be expended by the secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the legislative assembly, the printing of the laws, and other incidental expenses; and the secretary of the Territory shall annually account to the Secretary of the Treasury of the United States for the manner in which the aforesaid sum shall have been expended.

Salaries.

Pay of the legislature.

Contingent expenses.

Expenses of legislative assembly, &c.

SEC. 12. *And be it further enacted,* That the legislative assembly of the Territory of Dakota shall hold its first session at such time and place in said Territory as the governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the governor and legislative assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible; which place, however, shall thereafter be subject to be changed by the said governor and legislative assembly.

Time and place of first session of legislature.

Seat of government.

SEC. 13. *And be it further enacted,* That a delegate to the House of Representatives of the United States, to serve during each Congress of the United States, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other Territories of the United States to the said House of Representatives. The first election shall be held at such time and places, and be conducted in such manner, as the governor shall appoint and direct; and at all subsequent elections, the times, places, and manner of holding elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly.

Delegate to Congress.

Election of, &c.

SEC. 14. *And be it further enacted,* That when the land in said Territory shall be surveyed, under the direction of the government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said Territory shall be, and the same are hereby, reserved for the purpose of being applied to schools in the States hereafter to be erected out of the same.

School sections of land.

SEC. 15. *And be it further enacted,* That temporarily, and until otherwise provided by law, the governor of said Territory may define

Judicial districts.

the judicial districts of said Territory and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts by proclamation to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

Constitution and laws of United States made applicable.

SEC. 16. *And be it further enacted*, That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Dakota as elsewhere within the United States.

Surveyor-general.

SEC. 17. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, shall be, and he is hereby, authorized to appoint a surveyor-general for Dakota, who shall locate his office at such place as the Secretary of the Interior shall from time to time direct, and whose duties, powers, obligations, responsibilities, compensation, and allowances for clerk hire, office rent, fuel, and incidental expenses, shall be the same as those of the surveyor-general of Nebraska and Kansas, under the direction of the Secretary of the Interior, and such instructions as he may from time to time deem it advisable to give him.

Land district.

SEC. 18. *And be it further enacted*, That so much of the public lands of the United States in the Territory of Dakota, west of its eastern boundary and east and north of the Niobrara, or Running Water river, be formed into a land district, to be called the Yancton district, at such time as the President may direct, the land office for which shall be located at such point as the President may direct, and shall be removed from time to time to other points within said district whenever, in his opinion, it may be expedient.

Name and location.

Register and receiver.

SEC. 19. *And be it further enacted*, That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a register and receiver for said district, who shall respectively be required to reside at the site of said office, and who shall have the same powers, perform the same duties, and be entitled to the same compensation, as are or may be prescribed by law in relation to other land-offices of the United States.

Dakota River.

SEC. 20. *And be it further enacted*, That the river in said Territory heretofore known as the "River aux Jacques," or "James river," shall hereafter be called the Dakota river.

Portions of Utah and Washington added to Nebraska.

SEC. 21. *And be it further enacted*, That, until Congress shall otherwise direct, that portion of the Territories of Utah and Washington between the forty-first and forty-third degrees of north latitude, and east of the thirty-third meridian of longitude west from Washington, shall be, and is hereby, incorporated into and made a part of the Territory of Nebraska.

APPROVED, March 2, 1861.

March 2, 1861.
1859, ch. 22.
Vol. xi. p. 379.

CHAP. LXXXVII.—*An Act to amend an Act, approved February fifth, one thousand eight hundred and fifty-nine, entitled "An Act providing for keeping and distributing all Public Documents, and for other Purposes."*

Distribution of documents when copies are insufficient to supply one institution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where the number of copies of any document is insufficient to supply one institution therewith, upon the designation of each member of the Senate and House of Representatives, as required by existing law, the same may be distributed by the Secretary of the Interior to such incorporated colleges, public libraries, athenæums, literary and scientific institutions, boards of trade, or public associations, as he may select.

SEC. 2. *And be it further enacted,* That the documents of the second session of the thirty-fifth Congress shall be sent to the same institutions which were designated to receive those of the first session thereof; and in all cases hereafter the selection of an institution to receive the documents ordered to be published or procured at the first session of any Congress shall control the documents of the entire Congress, unless another designation be made before any distribution has taken place under the selection first made: *Provided, however,* That where the same work is printed by order both of the Senate and House of Representatives, the duplicates may be sent to different institutions, if so desired, by the member whose right it is to direct the distribution: *And provided further,* That in future the public documents to be distributed by the Secretary of the Interior, shall be sent to the institutions already designated, unless he shall be satisfied that any such institution is no longer a suitable depository of the same.

Documents of second session of Thirty-Fifth Congress.

One institution to have documents of both sessions.

Duplicates.

Documents to be sent to institutions already designated, unless, &c.

SEC. 3. *And be it further enacted,* That one set of the Works of John Adams, and four sets of the American State Papers, volumes four and five, shall be distributed to the institutions described by law, on the designation of the members of the Senate and House of Representatives of the present Congress, which designation shall also control the distribution of an equal number of each of the volumes thereof yet to be published.

Works of John Adams and American State Papers.

SEC. 4. *And be it further enacted,* That instead of five hundred copies of the Biennial Register, or Blue Book, now ordered to be published, which shall hereafter be compiled under the direction of the Secretary of the Interior, there shall in future be published seven hundred and fifty copies.

Biennial Register.

Post, p. 277.

Number of copies.

SEC. 5. *And be it further enacted,* That in lieu of the number of copies of the pamphlet laws directed by the act of twentieth April, eighteen hundred and eighteen, to be delivered to the officers of the executive departments, there shall hereafter be delivered to the head of each department, including the Attorney General, for the use of those officers, a number equal to the number of copies which they are or may be entitled to receive of the Statutes at Large, published by Little and Brown, under the provisions of the act of eighth August, eighteen hundred and forty-six.

Pamphlet laws.

1818, ch. 80.

Vol. iii. p. 439.

1846, ch. 100.

Vol. ix. p. 75.

SEC. 6. *And be it further enacted,* That one copy of the Decisions of the Supreme Court, published by authority of the act of twenty-ninth August, eighteen hundred and forty-two, shall be deposited in the office of the Secretary of the Interior, and one copy sent to each of the judges and to the solicitor of the Court of Claims, the judges of the criminal and orphans' courts for the District of Columbia, the Commissioner of Customs, the Commissioner of Patents, and to the heads of such other executive offices of equal grade as have been established since the passage of the law distributing said decisions, and to such as may hereafter be provided for, each of whom shall likewise be entitled to receive one copy of the Statutes at Large.

Decisions of Supreme Court.

1842, ch. 265.

Vol. v. p. 545.

SEC. 7. *And be it further enacted,* That fifty copies of the "American State Papers" now in course of publication, as authorized by act of twelfth June, eighteen hundred and fifty-eight, shall be deposited and kept in the library of the House of Representatives, twenty copies in the library of the Senate, two copies in the congressional library, one copy in the library of the President, one copy in the State and territorial library of each State and Territory, and ten copies in each of the executive departments, for the use of the officers connected therewith.

American State Papers.

1858, ch. 154,

§ 19.

Vol. xi. p. 328.

SEC. 8. *And be it further enacted,* That the number of pamphlet laws directed to be placed in the library of Congress by the act of twentieth of April, eighteen hundred and eighteen, and of the Statutes at Large, published by Little and Brown, directed to be placed in the said library, by the act of eighth August, eighteen hundred and forty-six, shall be distributed by the Secretary of the Interior, agreeably to the provisions of

Public statutes and pamphlet laws.

1818, ch. 80.

Vol. iii. p. 439.

1846, ch. 100.

Vol. ix. p. 75.

1859, ch. 22, § 11.
Vol. xi p. 381.

the eleventh section of the act of fifth February, eighteen hundred and fifty-nine, excepting twelve copies to be sent to the library of Congress for the use of the Supreme Court during its sessions; and two copies for use in said library.

Repeal of inconsistent laws.

SEC. 9. *And be it further enacted,* That all acts or parts of acts inconsistent with the provisions hereof are hereby repealed.

APPROVED, March 2, 1861.

March 2, 1861.
1863, ch. 102.
Post, p. 796.

CHAP. LXXXVIII. — *An Act in Addition to "An Act to promote the Progress of the useful Arts."*

Affidavits and depositions in cases pending in the Patent-Office.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Patents may establish rules for taking affidavits and depositions required in cases pending in the Patent Office, and such affidavits and depositions may be taken before any justice of the peace, or other officer authorized by law to take depositions to be used in the courts of the United States, or in the State courts of any State where such officer shall reside; and in any contested case pending in the Patent Office it shall be lawful for the clerk of any court of the United States for any district or Territory, and he is hereby required, upon the application of any party to such contested case, or the agent or attorney of such party, to issue subpoenas for any witnesses residing or being within the said district or Territory, commanding such witnesses to appear and testify before any justice of the peace, or other officer as aforesaid, residing within the said district or Territory, at any time and place in the subpoena to be stated; and if any witness, after being duly served with such subpoena, shall refuse or neglect to appear, or, after appearing, shall refuse to testify, (not being privileged from giving testimony,) such refusal or neglect being proved to the satisfaction of any judge of the court whose clerk shall have issued such subpoena, said judge may thereupon proceed to enforce obedience to the process, or to punish the disobedience in like manner as any court of the United States may do in case of disobedience to process of subpoena ad testificandum issued by such court; and witnesses in such cases shall be allowed the same compensation as is allowed to witnesses attending the courts of the United States: *Provided,* That no witnesses shall be required to attend at any place more than forty miles from the place where the subpoena shall be served upon him to give a deposition under this law: *Provided, also,* That no witness shall be deemed guilty of contempt for refusing to disclose any secret invention made or owned by him: *And provided, further,* That no witness shall be deemed guilty of contempt for disobeying any subpoena directed to him by virtue of this act, unless his fees for going to, returning from, and one day's attendance at the place of examination shall be paid or tendered to him at the time of the service of the subpoena.

Subpoenas for witnesses.

Proceedings when witness refuses, &c.

Pay of witnesses.

Proviso.

Witnesses not compelled to attend at place more than forty miles distant; nor to disclose secret invention.

Travel and attendance to be first paid or tendered.

SEC. 2. *And be it further enacted,* That, for the purpose of securing greater uniformity of action in the grant and refusal of letters-patent, there shall be appointed, by the President, by and with the advice and consent of the Senate, three examiners-in-chief, at an annual salary of three thousand dollars each, to be *composed of* persons of competent legal knowledge and scientific ability, whose duty it shall be, on the written petition of the applicant for that purpose being filed, to revise and determine upon the validity of decisions made by examiners when adverse to the grant of letters-patent; and also to revise and determine in like manner upon the validity of the decisions of examiners in interference cases, and when required by the Commissioner in applications for the extension of patents, and to perform such other duties as may be assigned to them by the Commissioner; that from their decisions appeals may be taken to the Commissioner of Patents in person, upon payment of the fee hereinafter prescribed; that the said

Three examiners-in-chief to be appointed.

Salary.

Duty.

Appeals from their decisions.

examiners-in-chief shall be governed in their action by the rules to be prescribed by the Commissioner of Patents.

Rules.

SEC. 3. *And be it further enacted*, That no appeal shall be allowed to the examiners-in-chief from the decisions of the primary examiners, except in interference cases, until after the application shall have been twice rejected; and the second examination of the application by the primary examiner shall not be had until the applicant, in view of the references given on the first rejection, shall have renewed the oath of invention, as provided for in the seventh section of the act entitled "An act to promote the progress of the useful arts, and to repeal all acts and parts of acts heretofore made for that purpose," approved July fourth, eighteen hundred and thirty-six.

In what cases appeals are allowed.

1836, ch. 357, § 7
Vol. v. p. 119.

SEC. 4. *And be it further enacted*, That the salary of the Commissioner of Patents, from and after the passage of this act, shall be four thousand five hundred dollars per annum, and the salary of the chief clerk of the Patent Office shall be two thousand five hundred dollars, and the salary of the Librarian of the Patent Office shall be eighteen hundred dollars.

Salary of Commissioner of Patents.

Of chief clerk.
Of the librarian.

SEC. 5. *And be it further enacted*, That the Commissioner of Patents is authorized to restore to the respective applicants, or when not removed by them, to otherwise dispose of such of the models belonging to rejected applications as he shall not think necessary to be preserved. The same authority is also given in relation to all models accompanying applications for designs. He is further authorized to dispense in future with models of designs when the design can be sufficiently represented by a drawing.

Commissioner may return models in cases of rejected applications; and in applications for designs.

When models of designs may be dispensed with.

SEC. 6. *And be it further enacted*, That the tenth section of the act approved the third of March, eighteen hundred and thirty-seven, authorizing the appointment of agents for the transportation of models and specimens to the Patent Office, is hereby repealed.

Act 1836, ch. 357, § 10, repealed.
Vol. v. p. 121.

SEC. 7. *And be it further enacted*, That the Commissioner is further authorized, from time to time, to appoint, in the manner already provided for by law, such an additional number of principal examiners, first assistant examiners, and second assistant examiners as may be required to transact the current business of the office with dispatch, provided the whole number of additional examiners shall not exceed four of each class, and that the total annual expenses of the Patent Office shall not exceed the annual receipts.

Other principal examiners, &c. may be appointed.

SEC. 8. *And be it further enacted*, That the Commissioner may require all papers filed in the Patent Office, if not correctly, legibly, and clearly written, to be printed at the cost of the parties filing such papers; and for gross misconduct he may refuse to recognize any person as a patent agent, either generally or in any particular case; but the reasons of the Commissioner for such refusal shall be duly recorded, and subject to the approval of the President of the United States.

Commissioner may require certain papers to be printed.

May refuse to recognize a person as patent agent.

SEC. 9. *And be it further enacted*, That no money paid as a fee, on any application for a patent after the passage of this act, shall be withdrawn or refunded, nor shall the fee paid on filing a caveat be considered as part of the sum required to be paid on filing a subsequent application for a patent for the same invention. That the three months' notice given to any caveator, in pursuance of the requirements of the twelfth section of the act of July fourth, eighteen hundred and thirty-six, shall be computed from the day on which such notice is deposited in the post office at Washington, with the regular time for the transmission of the same added thereto, which time shall be indorsed on the notice; and that so much of the thirteenth section of the act of Congress, approved July fourth, eighteen hundred and thirty-six, as authorizes the annexing to letters-patent of the description and specification of additional improvements is hereby repealed, and in all cases where additional improvements would now be admissible, independent patents must be applied for.

Fees not to be refunded.

Three months' notice to any caveator.
1836, ch. 357, § 12.
Vol. v. p. 121.

Repeal of inconsistent provisions.

Present fees abolished.

SEC. 10. *And be it further enacted*, That all laws now in force fixing the rates of the Patent Office fees to be paid, and discriminating between the inhabitants of the United States and those of other countries, which shall not discriminate against the inhabitants of the United States, are hereby repealed, and in their stead the following rates are established :

Rates of fees established.

Caveat.

On filing each caveat, ten dollars.

Filing application, &c.

On filing each original application for a patent, except for a design, fifteen dollars.

Issuing patent.

On issuing each original patent, twenty dollars.

Appeal.

On every appeal from the examiners-in-chief to the Commissioner, twenty dollars.

Reissue.

On every application for the reissue of a patent, thirty dollars.

Application for extension, and granting.

On every application for the extension of a patent, fifty dollars ; and fifty dollars in addition, on the granting of every extension.

Disclaimer.

On filing each disclaimer, ten dollars.

Copies.

For certified copies of patents and other papers, ten cents per hundred words.

Recording.

For recording every assignment, agreement, power of attorney, and other papers of three hundred words or under, one dollar.

For recording every assignment, and other papers, over three hundred and under one thousand words, two dollars.

For recording every assignment or other writing, if over one thousand words, three dollars.

Copies of drawings.

For copies of drawings, the reasonable cost of making the same.

Who may apply for and have patents.

SEC. 11. *And be it further enacted*, That any citizen or citizens, or alien or aliens, having resided one year in the United States, and taken the oath of his or their intention to become a citizen or citizens, who by his, her, or their own industry, genius, efforts, and expense, may have invented or produced any new and original design, or a manufacture, whether of metal or other material or materials, and original design for a bust, statue, or bas relief, or composition in alto or basso relievo, or any new and original impression or ornament, or to be placed on any article of manufacture, the same being formed in marble or other material, or any new and useful pattern, or print, or picture, to be either worked into or worked on, or printed, or painted, or cast, or otherwise fixed on, any article of manufacture, or any new and original shape or configuration of any article of manufacture, not known or used by others before his, her, or their invention, or production thereof, and prior to the time of his, her, or their application for a patent therefor, and who shall desire to obtain an exclusive property or right therein to make, use, and sell, and vend the same, or copies of the same, to others, by them to be made, used, and sold, may make application, in writing, to the Commissioner of Patents, expressing such desire ; and the Commissioner, on due proceedings had, may grant a patent therefor as in the case now of application for a patent, for the term of three and one half years, or for the term of seven years, or for the term of fourteen years, as the said applicant may elect in his application : *Provided*, That the fee to be paid in such application shall be, for the term of three years and six months, ten dollars, for seven years, fifteen dollars, and for fourteen years, thirty dollars : *And provided*, That the patentees of designs under this act, shall be entitled to the extension of their respective patents for the term of seven years, from the day on which said patents shall expire, upon the same terms and restrictions as are now provided for the extension of letters-patent.

Term of patent.

Fees.

Extension of patents for designs.

Applications for patents to be completed within two years.

SEC. 12. *And be it further enacted*, That all applications for patents shall be completed and prepared for examination within two years after the filing of the petition, and in default thereof, they shall be regarded as abandoned by the parties thereto ; unless it be shown to the satisfaction of the Commissioner of Patents that such delay was unavoidable ; and all applications now pending shall be treated as if filed after the passage of this

act, and all applications for the extension of patents, shall be filed at least ninety days before the expiration thereof; and notice of the day set for the hearing of the case shall be published, as now required by law, for at least sixty days.

For extension, when to be filed. Notice, when published.

SEC. 13. *And be it further enacted*, That in all cases where an article is made or vended by any person under the protection of letters-patent, it shall be the duty of such person to give sufficient notice to the public that said article is so patented, either by fixing thereon the word patented, together with the day and year the patent was granted; or when, from the character of the article patented, that may be impracticable, by enveloping one or more of the said articles, and affixing a label to the package or otherwise attaching thereto a label on which the notice, with the date, is printed; on failure of which, in any suit for the infringement of letters-patent by the party failing so to mark the article the right to which is infringed upon, no damage shall be recovered by the plaintiff, except on proof that the defendant was duly notified of the infringement, and continued after such notice to make or vend the article patented. And the sixth section of the act entitled "An act in addition to an act to promote the progress of the useful arts," and so forth, approved the twenty-ninth day of August, eighteen hundred and forty-two, be, and the same is hereby, repealed.

Notice that article is patented, how given.

Act of 1842, ch. 263, § 6, repealed. Vol. v. p. 544.

SEC. 14. *And be it further enacted*, That the Commissioner of Patents be, and he is hereby, authorized to print, or in his discretion to cause to be printed, ten copies of the description and claims of all patents which may hereafter be granted, and ten copies of the drawings of the same, when drawings shall accompany the patents: *Provided*, The cost of printing the text of said descriptions and claims shall not exceed, exclusive of stationery, the sum of two cents per hundred words for each of said copies, and the cost of the drawing shall not exceed fifty cents per copy; one copy of the above number shall be printed on parchment to be affixed to the letters-patent; the work shall be under the direction and subject to the approval of the Commissioner of Patents, and the expense of the said copies shall be paid for out of the patent fund.

Ten copies of descriptions and claims of patents may be printed by Commissioner.

Cost not to exceed, &c. [Repealed, 1862, ch. 182, § 4. Post, p. 533.]

How to be paid

SEC. 15. *And be it further enacted*, That printed copies of the letters patent of the United States, with the seal of the Patent Office affixed thereto, and certified and signed by the Commissioner of Patents, shall be legal evidence of the contents of said letters-patent in all cases.

Contents of letters-patent, how made legal evidence.

SEC. 16. *And be it further enacted*, That all patents hereafter granted shall remain in force for the term of seventeen years from the date of issue; and all extension of such patents is hereby prohibited.

Patents to run for seventeen years.

And not to be extended.

SEC. 17. *And be it further enacted*, That all acts and parts of acts heretofore passed, which are inconsistent with the provisions of this act, be, and the same are hereby repealed.

Repeal of inconsistent provisions.

APPROVED, March 2, 1861.

RESOLUTIONS.

January 19, 1861. [No. 1.] *A Resolution authorizing the Secretary of the Treasury to permit the Owners of the Steamboat "John C. Fremont" to change the Name of the same to that of "Horizon."*

Steamboat
"John C. Fremont" may be named "Horizon."

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized to permit the owners of the steamboat "John C. Fremont" to change the name of the same to that of "Horizon."

APPROVED, January 19, 1861.

January 19, 1861. [No. 2.] *Joint Resolution authorizing the Secretary of the Treasury to change the Name of the Schooner "Spring Hill" to that of the "United States."*

Schooner
"Spring Hill" may be named "United States."

Be it Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to change the name of the schooner "Spring Hill" to that of the "United States."

APPROVED, January 19, 1861.

February 13, 1861. [No. 5.] *A Resolution authorizing Lieut. T. A. M. Craven, United States Navy, to receive certain Marks of Distinction tendered him by the Spanish Government.*

Lieut. T. A. M. Craven may accept medal and diploma.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Lieutenant T. A. M. Craven, of the navy of the United States, be, and he is hereby, authorized to accept from the Spanish Government a medal and diploma, tendered him in acknowledgment of the services rendered by him to the seamen of the Spanish vessel "Bella," wrecked on Cayo Gunichos in June last.

APPROVED, February 13, 1861.

February 21, 1861. [No. 9.] *Joint Resolution giving the Assent of Congress to certain Acts passed, or to be passed, by the Legislatures of the States of Arkansas, Louisiana, and Texas, or any two of them, in Relation to the "Raft" of Red River, and for other Purposes.*

Assent of Congress given to acts for improving the navigation of Red River.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of Congress be, and the same is hereby, given, to any acts that have been, or may be, passed by the Legislatures of the States of Arkansas, Louisiana, and Texas, or of any two of them, having for their object the improvement of the navigation of Red River by the removal of the "Raft" therefrom.

Tolls may be charged, &c. for thirty years.

SEC. 2. And be it further resolved, That Congress hereby assents, that after and so soon as any company incorporated by the States aforesaid, or any two of them, for the purpose, shall have removed the obstructions to navigation in Red River caused by the "Raft," and have rendered the

same navigable, and not before, the said States, or any two of them, may, through the said company, under and in accordance with, and in the mode provided by, the acts incorporating the same, for the benefit of the company and to reimburse to it its expenditures in removing said "Raft," levy and collect, by way of commutation for duties of tonnage, tolls upon all boats or other water-crafts ascending or descending said river, and passing through the portion thereof that shall so have been improved and rendered navigable, not to exceed the following sums: that is to say, fifty cents on and for each bale of cotton, and twenty-five cents on and for each barrel of goods, wares, and merchandise wherewith such boats or crafts may be laden; and that this privilege may continue until the expiration of thirty years from the ninth day of March, Anno Domini eighteen hundred and sixty: *Provided*, That nothing herein contained shall authorize the said company to impair the navigation of Red Bayou: *Provided, further*, That the United States shall have the right, at any time after the expiration of ten years, to take possession of the work by paying to the company the amount of expenditure, with seven per centum interest.

Proviso.

Proviso.

APPROVED, February 21, 1861.

[No. 11.] *Joint Resolution to quit Title to Lands in the State of Iowa.*

March 2, 1861.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all the title which the United States still retain in the tracts of land along the Des Moines river, and above the mouth of the Raccoon fork thereof, in the State of Iowa, which have been certified to said State improperly by the Department of the Interior, as part of the grant by act of Congress approved August eight, eighteen hundred and forty-six, and which is now held by bona fide purchasers under the State of Iowa, be, and the same is hereby, relinquished to the State of Iowa.

The United States releases to Iowa certain land.

1846, ch. 103. Vol. ix. p. 77.

APPROVED, March 2, 1861.

[No. 12.] *A Resolution for the Appointment of Regents of the Smithsonian Institution.*

March 2, 1861.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancies in the Board of Regents of the Smithsonian Institution of the class "other than members of Congress," be filled by the appointment of William L. Dayton, of New Jersey, in place of Richard Rush, deceased; William B. Astor, of New York, in place of Gideon Hawley, whose term has expired; and that Cornelius C. Felton, of Massachusetts, whose term has expired, be reappointed.

Regents of Smithsonian Institution.

APPROVED, March 2, 1861.

[No. 13.] *Joint Resolution to amend the Constitution of the United States.*

March 2, 1861.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid, to all intents and purposes, as part of the said Constitution, viz.:

Proposed amendment to the Constitution.

"Article Thirteen.

"No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere, within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State."

APPROVED, March 2, 1861.

March 2, 1861.

[No. 14.] *A Resolution authorizing the Issue of the same Quota of Arms to the State of California for the Years eighteen hundred and fifty and eighteen hundred and fifty-one, as was issued to that State for the Year eighteen hundred and fifty-two.*

State arms to California for 1850 and 1851.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to issue to the State of California, a quota of arms for the years eighteen hundred and fifty and eighteen hundred and fifty-one, equal to the annual quota issued to the said State of California for the year eighteen hundred and fifty-two.

APPROVED, March 2, 1861.

March 2, 1861.

[No. 15.] *A Resolution to correct certain Errors in the Act entitled "An act to provide for the Payment of outstanding Treasury Notes, to authorize a Loan, to regulate and fix the Duties on Imports, and for other Purposes," approved the second of March eighteen hundred and sixty-one.*

1861, ch. 88. Ante, p. 178.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to provide for the payment of outstanding treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes," approved the second March, eighteen hundred and sixty-one, shall be so far altered and corrected as to strike from said act the following words, that is to say, from the list of articles exempt from duty: "wool, unmanufactured, and all hair of the goat, alpaca, and other like animals, unmanufactured, the value whereof, at the last port or place from whence exported to the United States, shall be eighteen cents, or under, per pound;" from section twenty-four as follows:

Ante, p. 196.

SEC. 24. And be it further enacted, That all goods, wares, and merchandise, which may be in the public stores, on the day and year aforesaid, shall be subject to no other duty upon entry thereof than if the same were imported respectively after that day; and from section thirteen, as follows: "On woollen shawls, or shawls of which wool shall be the chief component material, a duty of sixteen cents per pound, and in addition thereto twenty per centum ad valorem."

Ante, p. 185.

APPROVED, March 2, 1861.

March 2, 1861.

[No. 16.] *Joint Resolution authorizing Commodore H. Paulding to receive a Sword awarded to him by the Republic of Nicaragua.*

Commodore H. Paulding may receive a sword.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Commodore H. Paulding, of the United States Navy, be, and he is hereby, authorized to accept the sword presented to him by the Republic of Nicaragua.

APPROVED, March 2, 1861.

March 2, 1861.

[No. 17.] *A Resolution authorizing Captain William L. Hudson, of the United States Navy, to accept a Diamond Brooch for his Wife, presented to her by the Emperor of Russia.*

Capt. William L. Hudson may accept a diamond brooch, &c.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain William L. Hudson, of the United States Navy, be, and he is hereby, authorized to accept for his wife, a diamond brooch presented to her by the Emperor of Russia, as a mark of the appreciation by that government of the courtesy extended to the officers of the Russian service on board the United States ship Niagara during the laying of the Atlantic cable.

APPROVED, March 2, 1861.

March 2, 1861.

[No. 18.] *A Resolution authorizing W. H. Smiley, United States Commercial Agent at the Falkland Islands to receive a Telescope tendered him by the Belgian Government.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That W. H. Smiley, United

States Commercial Agent at the Falkland Islands, be, and he is hereby, W. H. Smiley
authorized to accept from the Belgian Government a telescope tendered ^{may receive a}
him in acknowledgment of the services rendered by him to a seaman be- ^{telescope.}
longing to a Belgian vessel, the "Leopold," wrecked in the neighborhood
of the Falkland Islands in the year eighteen hundred and fifty-eight.

APPROVED, March 2, 1861.

PUBLIC ACTS OF THE THIRTY-SEVENTH CONGRESS

OF THE

UNITED STATES,

*Passed at the first session * which was begun and held at the City of Washington, in the District of Columbia, on Thursday, the fourth day of July, A. D. 1861, and ended on Tuesday, the sixth day of August, A. D. 1861.*

ABRAHAM LINCOLN, President. HANNIBAL HAMLIN, Vice-President, and President of the Senate. SOLOMON FOOTE was elected President of the Senate, *pro tempore*, on the eighteenth day of July, and continued so to act until the close of the session. GALUSHA A. GROW, Speaker of the House of Representatives.

CHAP. I. — *An Act to refund and remit the Duties on Arms imported by States.*

July 10, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to refund and remit the duties and imposts on all arms imported into the United States since the first day of May last, or which may be imported before the first day of January next, by, or for the account of any State: Provided, The Secretary of the Treasury shall be satisfied that the said arms are intended, in good faith, for the use of the troops of any State which is, or may be engaged in aiding to suppress the insurrection now existing against the United States.

Duties to be remitted on arms imported by States between May 1, 1861, and Jan. 1, 1862.

Proviso.
Post, p. 274.

APPROVED, July 10, 1861.

CHAP. II. — *An Act to provide for the Payment of the Militia and Volunteers called into the Service of the United States from the Time they were called into Service to the thirtieth Day of June, eighteen hundred and sixty-one.*

July 13, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of five millions seven hundred and sixty thousand dollars, or so much thereof as may be necessary, to enable the Government to pay the militia and volunteers called into service of the United States, being an additional amount required for the fiscal year ending June thirtieth, eighteen hundred and sixty-one.

Appropriation for pay of volunteers.

APPROVED, July 13, 1861.

CHAP. III. — *An Act further to provide for the Collection of Duties on Imports, and for other Purposes.*

July 13, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever it shall in the judgment of the President, by reason of unlawful combinations of persons in opposition to the laws of the United States, become impracticable to

When impracticable to collect duties at any port of entry in any

* This session was called by Proclamation of the President, dated April 15th, 1861. See Appendix, Proclamation, No. 3, *post*, p. 1258.

district, they may be collected at any port of delivery in the same district.

Powers of surveyors at such ports.

Secretary of Treasury to appoint weighers, gaugers, &c.

Limits of ports to be established.

Laws to apply to such ports.

When duties cannot be collected at any port of entry or delivery in any district, the custom-house may be established, &c.

Residence and duty of collector.

Vessel may change her destination to unobstructed port.

Secretary of the Treasury to make regulations.

Vessel or cargo not to be taken from custody of officers of customs, unless, &c.

Use of military and naval force authorized.

Ports of entry may be closed in certain cases.

Notice to be given.

Effect of such discontinuance.

execute the revenue laws and collect the duties on imports by the ordinary means, in the ordinary way, at any port of entry in any collection district, he is authorized to cause such duties to be collected at any port of delivery in said district until such obstruction shall cease; and in such case the surveyors at said ports of delivery shall be clothed with all the powers, and be subject to all the obligations of collectors at ports of entry; and the Secretary of the Treasury, with the approbation of the President, shall appoint such number of weighers, gaugers, measurers, inspectors, appraisers, and clerks as may be necessary, in his judgment, for the faithful execution of the revenue laws at said ports of delivery, and shall fix and establish the limits within which such ports of delivery are constituted ports of entry, as aforesaid; and all the provisions of law regulating the issue of marine papers, the coasting trade, the warehousing of imports, and collection of duties, shall apply to the ports of entry so constituted, in the same manner as they do to ports of entry established by the laws now in force.

SEC. 2. *And be it further enacted*, That if, from the cause mentioned in the foregoing section, in the judgment of the President, the revenue from duties on imports cannot be effectually collected at any port of entry in any collection district, in the ordinary way, and by the ordinary means, or by the course provided in the foregoing section, then and in that case he may direct that the custom-house for the district be established in any secure place within said district, either on land or on board any vessel in said district or at sea near the coast; and in such case the collector shall reside at such place, or on shipboard, as the case may be, and there detain all vessels and cargoes arriving within or approaching said district, until the duties imposed by law on said vessels and their cargoes are paid in cash: *Provided*, That if the owner or consignee of the cargo on board any vessel detained as aforesaid, or the master of said vessel shall desire to enter a port of entry in any other district in the United States where no such obstructions to the execution of the laws exist, the master of such vessel may be permitted so to change the destination of the vessel and cargo in his manifest, whereupon the collector shall deliver him a written permit to proceed to the port so designated: *And, provided further*, That the Secretary of the Treasury shall, with the approbation of the President, make proper regulations for the enforcement on shipboard of such provisions of the laws regulating the assessment and collection of duties as in his judgment may be necessary and practicable.

SEC. 3. *And be it further enacted*, That it shall be unlawful to take any vessel or cargo detained as aforesaid from the custody of the proper officers of the customs, unless by process of some court of the United States; and in case of any attempt otherwise to take such vessel or cargo by any force, or combination, or assemblage of persons, too great to be overcome by the officers of the customs, it shall and may be lawful for the President, or such person or persons as he shall have empowered for that purpose, to employ such part of the army or navy or militia of the United States, or such force of citizen volunteers as may be deemed necessary for the purpose of preventing the removal of such vessel or cargo, and protecting the officers of the customs in retaining the custody thereof.

SEC. 4. *And be it further enacted*, That if, in the judgment of the President, from the cause mentioned in the first section of this act, the duties upon imports in any collection district cannot be effectually collected by the ordinary means and in the ordinary way, or in the mode and manner provided in the foregoing sections of this act, then and in that case the President is hereby empowered to close the port or ports of entry in said district, and in such case give notice thereof by proclamation; and thereupon all right of importation, warehousing, and other privileges incident to ports of entry shall cease and be discontinued at such port so closed, until opened by the order of the President on the cessation of such

obstructions; and if, while said ports are so closed, any ship or vessel from beyond the United States, or having on board any articles subject to duties, shall enter or attempt to enter any such port, the same, together with its tackle, apparel, furniture, and cargo, shall be forfeited to the United States.

SEC. 5. *And be it further enacted*, That whenever the President, in pursuance of the provisions of the second section of the act entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for that purpose," approved February twenty-eight, seven-teen hundred and ninety-five, shall have called forth the militia to suppress combinations against the laws of the United States, and to cause the laws to be duly executed, and the insurgents shall have failed to disperse by the time directed by the President, and when said insurgents claim to act under the authority of any State or States, and such claim is not disclaimed or repudiated by the persons exercising the functions of government in such State or States, or in the part or parts thereof in which said combination exists, nor such insurrection suppressed by said State or States, then and in such case it may and shall be lawful for the President, by proclamation, to declare that the inhabitants of such State, or any section or part thereof, where such insurrection exists, are in a state of insurrection against the United States; and thereupon all commercial intercourse by and between the same and the citizens thereof and the citizens of the rest of the United States shall cease and be unlawful so long as such condition of hostility shall continue; and all goods and chattels, wares and merchandise, coming from said State or section into the other parts of the United States, and all proceeding to such State or section, by land or water, shall, together with the vessel or vehicle conveying the same, or conveying persons to or from such State or section, be forfeited to the United States: *Provided, however*, That the President may, in his discretion, license and permit commercial intercourse with any such part of said State or section, the inhabitants of which are so declared in a state of insurrection, in such articles, and for such time, and by such persons, as he, in his discretion, may think most conducive to the public interest; and such intercourse, so far as by him licensed, shall be conducted and carried on only in pursuance of rules and regulations prescribed by the Secretary of the Treasury. And the Secretary of the Treasury may appoint such officers at places where officers of the customs are not now authorized by law as may be needed to carry into effect such licenses, rules and regulations; and officers of the customs and other officers shall receive for services under this section, and under said rules and regulations, such fees and compensation as are now allowed for similar service under other provisions of law.

The President, in certain cases, may declare the inhabitants of a State, &c. to be in a state of insurrection.
1795, ch. 36, § 2. Vol. i. p. 424.

1861, ch. 32. Post, p. 284.

Commercial intercourse thereupon to cease.

Certain goods to be forfeited.

President may permit intercourse in certain cases, and under regulations.

Officers of customs may be appointed; their pay, &c.

SEC. 6. *And be it further enacted*, That from and after fifteen days after the issuing of the said proclamation, as provided in the last foregoing section of this act, any ship or vessel belonging in whole or in part to any citizen or inhabitant of said State or part of a State whose inhabitants are so declared in a state of insurrection, found at sea, or in any port of the rest of the United States, shall be forfeited to the United States.

Vessels belonging to those in insurrection, when to be forfeited.

SEC. 7. *And be it further enacted*, That in the execution of the provisions of this act, and of the other laws of the United States providing for the collection of duties on imports and tonnage, it may and shall be lawful for the President, in addition to the revenue cutters in service, to employ in aid thereof such other suitable vessels as may, in his judgment, be required.

The navy may be used to execute the revenue laws.

SEC. 8. *And be it further enacted*, That the forfeitures and penalties incurred by virtue of this act may be mitigated or remitted in pursuance of the authority vested in the Secretary of the Treasury by the act enti-

Remission of penalties.

1797, ch. 13.
Vol. 1. p. 506.

In what courts
forfeitures may be
enforced.

ted "An act providing for mitigating or remitting the forfeitures, penalties, and disabilities accruing in certain cases therein mentioned," approved March third, seventeen hundred and ninety-seven, or in cases where special circumstances may seem to require it, according to regulations to be prescribed by the Secretary of the Treasury.

SEC. 9. *And be it further enacted*, That proceedings on seizures for forfeitures under this act may be pursued in the courts of the United States in any district into which the property so seized may be taken and proceedings instituted; and such courts shall have and entertain as full jurisdiction over the same as if the seizure was made in that district.

APPROVED, July 13, 1861.

July 17, 1861.

CHAP. IV. — *An Act to provide for the Appointment of Assistant Paymasters in the Navy.*

Grade of assist-
ant paymaster in
the navy estab-
lished.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grade of assistant paymaster in the navy of the United States be, and hereby is, established, and that from and after the passage of this act the President of the United States, by and with the advice and consent of the Senate, may appoint assistant paymasters from time to time, as they shall be needed for active service in the navy, not exceeding thirty-six in number.

Number.

Qualifications.

SEC. 2. *And be it further enacted*, That every person who shall be appointed assistant paymaster shall at the time of his appointment, be not less than twenty-one years of age, nor more than twenty-six years; and that, previous to his appointment, his physical, mental, and moral qualifications shall be inquired into and favorably reported upon by a board of paymasters appointed for that purpose by the Secretary of the Navy, and under such regulations as he may prescribe.

Pay.

SEC. 3. *And be it further enacted*, That the annual pay of assistant paymaster shall be as follows, viz.:

On duty at sea, for the first five years after date of commission, one thousand three hundred dollars; after five years from date of commission, one thousand five hundred dollars.

On other duty, for the first five years after date of commission, one thousand dollars; after five years from date of commission, one thousand two hundred dollars.

On leave of absence or waiting orders, for the first five years after date of commission, eight hundred dollars; after five years from date of commission, one thousand dollars; and when attached to vessels for sea service, each assistant paymaster shall be entitled to one ration per day.

Commanding
officers of vessels
not required to
act as paymas-
ters, &c.

SEC. 4. *And be it further enacted*, That from and after the passage of this act no commanding officer of any vessel in the navy shall be required to perform the duties of paymaster or assistant paymaster; and when such office shall become vacant, by death or otherwise, in ships at sea or on foreign stations, or on the Pacific coast of the United States, the senior officer present may make an acting appointment of any fit person to perform the duties until another paymaster or assistant paymaster shall report for duty. Any person performing the duties of paymaster or assistant paymaster in accordance with this section (but not otherwise,) shall be entitled to receive the pay of such grade whilst so acting.

Vacancies in
office of paymas-
ter, how filled.

Pay of acting
paymaster, &c.

Bond of assist-
ant paymasters.

SEC. 5. *And be it further enacted*, That each assistant paymaster shall, upon his appointment, enter into bonds in the amount of ten thousand dollars, with at least two good and sufficient securities, for the faithful performance of his duties, and that assistant paymasters shall have rank and precedence with assistant surgeons not passed, and that all appointments to fill vacancies in the corps of paymasters shall be made by regular promotion from the list of assistant paymasters.

Rank.

Paymasters to
be appointed
from assistants.

Future reduc-

SEC. 6. *And be it further enacted*, That within six months after the expiration of the present insurrection, the corps of paymasters and as-

assistant paymasters shall be reduced to the number of seventy-five in the whole. tion of corps of paymasters, &c.

APPROVED, July 17, 1861.

CHAP. V. — *An Act to authorize a National Loan and for other Purposes.*

July 17, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to borrow on the credit of the United States, within twelve months from the passage of this act, a sum not exceeding two hundred and fifty millions of dollars, or so much thereof as he may deem necessary for the public service, for which he is authorized to issue coupon bonds, or registered bonds, or treasury notes, in such proportions of each as he may deem advisable; the bonds to bear interest not exceeding seven per centum per annum, payable semi-annually, irredeemable for twenty years, and after that period redeemable at the pleasure of the United States; and the treasury notes to be of any denomination fixed by the Secretary of the Treasury, not less than fifty dollars, and to be payable three years after date, with interest at the rate of seven and three tenths per centum per annum, payable semi-annually. And the Secretary of the Treasury may also issue in exchange for coin, and as part of the above loan, or may pay for salaries or other dues from the United States, treasury notes of a less denomination than fifty dollars, not bearing interest, but payable on demand by the Assistant Treasurers of the United States at Philadelphia, New York, or Boston, or treasury notes bearing interest at the rate of three and sixty-five hundredths per centum, payable in one year from date, and exchangeable at any time for treasury notes for fifty dollars, and upwards, issuable under the authority of this act, and bearing interest as specified above: *Provided*, That no exchange of such notes in any less amount than one hundred dollars shall be made at any one time: *And provided further*, That no treasury notes shall be issued of a less denomination than ten dollars, and that the whole amount of treasury notes, not bearing interest, issued under the authority of this act, shall not exceed fifty millions of dollars.

Secretary of Treasury may borrow within twelve months not over \$250,000,000.

Coupon or registered bonds or treasury notes may be issued therefor.

Bonds, when redeemable.

Treasury notes; denomination; interest; when payable.

Certain treasury notes may be issued in exchange for coin, &c.

1861, ch. 46, §§ 1, 5. *Post*, p. 313.

Proviso. *Post*, pp. 345, 370.

Proviso.

Post, p. 313.

SEC. 2. *And be it further enacted*, That the treasury notes, and bonds issued under the provisions of this act shall be signed by the First or Second Comptroller, or the Register of the Treasury, and countersigned by such other officer or officers of the Treasury as the Secretary of the Treasury may designate; and all such obligations, of the denomination of fifty dollars and upwards, shall be issued under the seal of the Treasury Department. The registered bonds shall be transferable on the books of the Treasury on the delivery of the certificate, and the coupon bonds and treasury notes shall be transferable by delivery. The interest coupons may be signed by such person or persons, or executed in such manner, as may be designated by the Secretary of the Treasury, who shall fix the compensation for the same.

Notes and bonds, how signed, &c.

How transferable.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury shall cause books to be opened for subscription to the treasury notes for fifty dollars and upwards at such places as he may designate in the United States and under such rules and regulations as he may prescribe, to be superintended by the Assistant Treasurers of the United States at their respective localities, and at other places, by such depositaries, postmasters, and other persons as he may designate, notice thereof being given in at least two daily papers of this city, and in one or more public newspapers published in the several places where subscription books may be opened; and subscriptions for such notes may be received from all persons who may desire to subscribe, any law to the contrary notwithstanding; and if a larger amount shall be subscribed in the aggregate than is required at one time, the Secretary of the Treasury is authorized to receive the same, should he deem it advantageous to the public interest; and if not, he shall

Books to be opened for subscription for treasury notes for \$50 and over, &c.

Who may subscribe.

If larger amount is subscribed, &c.

Pay of those receiving subscriptions.

Proviso.

Payment of subscription.

Treasury notes of \$50 and upwards may be exchanged for coin, &c.

Proposals for loan to be published.

Most favorable offers to be accepted, but at not less than par.

Portion of loan may be negotiated in foreign country.

Proceedings in such case.

Treasury notes under \$50, may be re-issued prior to Dec. 31, 1862.

Proviso.

accept the amount required by giving the preference to the smaller subscriptions; and the Secretary of the Treasury shall fix the compensations of the public officers or others designated for receiving said subscriptions: *Provided*, That for performing this or any other duty in connection with this act, no compensation for services rendered shall be allowed or paid to any public officer whose salary is established by law; and the Secretary of the Treasury may also make such other rules and regulations as he may deem expedient touching the instalment to be paid on any subscription at the time of subscribing, and further payments by instalments or otherwise, and penalties for non-payment of any instalment, and also concerning the receipt, deposit, and safe-keeping of money received from such subscriptions, until the same can be placed in the possession of the official depositaries of the Treasury, any law or laws to the contrary notwithstanding. And the Secretary of the Treasury is also authorized, if he shall deem it expedient, before opening books of subscription as above provided, to exchange for coin or pay for public dues or for treasury notes of the issue of twenty-third of December, eighteen hundred and fifty-seven, and falling due on the thirtieth of June, eighteen hundred and sixty-one, or for treasury notes issued and taken in exchange for such notes, any amount of said treasury notes for fifty dollars or upwards not exceeding one hundred millions of dollars.

SEC. 4. *And be it further enacted*, That, before awarding any portion of the loan in bonds authorized by this act, the Secretary of the Treasury, if he deem it advisable to issue proposals for the same in the United States, shall give not less than fifteen days' public notice in two or more of the public newspapers in the city of Washington, and in such other places of the United States as he may deem advisable, designating the amount of such loan, the place and the time up to which sealed proposals will be received for the same, the periods for the payment, and the amount of each instalment in which it is to be paid, and the penalty for the non-payment of any such instalments, and when and where such proposals shall be opened in the presence of such persons as may choose to attend; and the Secretary of the Treasury is authorized to accept the most favorable proposals offered by responsible bidders: *Provided*, That no offer shall be accepted at less than par.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury may, if he deem it advisable, negotiate any portion of said loan, not exceeding one hundred millions of dollars, in any foreign country and payable at any designated place either in the United States or in Europe, and may issue registered or coupon bonds for the amount thus negotiated agreeably to the provisions of this act, bearing interest payable semi-annually, either in the United States or at any designated place in Europe; and he is further authorized to appoint such agent or agents as he may deem necessary for negotiating such loan under his instructions, and for paying the interest on the same, and to fix the compensation of such agent or agents, and shall prescribe to them all the rules, regulations, and modes under which such loan shall be negotiated, and shall have power to fix the rate of exchange at which the principal shall be received from the contractors for the loan, and the exchange for the payment of the principal and interest in Europe shall be at the same rate.

SEC. 6. *And be it further enacted*, That whenever any treasury notes of a denomination less than fifty dollars, authorized to be issued by this act, shall have been redeemed, the Secretary of the Treasury may re-issue the same, or may cancel them and issue new notes to an equal amount: *Provided*, That the aggregate amount of bonds and treasury notes issued under the foregoing provisions of this act shall never exceed the full amount authorized by the first section of this act; and the power to issue, or re-issue such notes shall cease and determine after the thirty-first of December, eighteen hundred and sixty-two.

SEC. 7. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized, whenever he shall deem it expedient, to issue in exchange for coin, or in payment for public dues, treasury notes of any of the denominations hereinbefore specified, bearing interest not exceeding six per centum per annum, and payable at any time not exceeding twelve months from date, provided that the amount of notes so issued, or paid, shall at no time exceed twenty millions of dollars.

Treasury notes may be issued in exchange for coin, &c.

SEC. 8. *And be it further enacted*, That the Secretary of the Treasury shall report to Congress, immediately after the commencement of the next session, the amount he has borrowed under the provisions of this act, of whom, and on what terms, with an abstract of all the proposals, designating those that have been accepted and those that have been rejected, and the amount of bonds or treasury notes that have been issued for the same.

Secretary of Treasury to report to Congress.

SEC. 9. *And be it further enacted*, That the faith of the United States is hereby solemnly pledged for the payment of the interest and redemption of the principal of the loan authorized by this act.

Faith of the United States pledged.

SEC. 10. *And be it further enacted*, That all the provisions of the act entitled "An act to authorize the issue of treasury notes," approved the twenty-third day of December, eighteen hundred and fifty-seven, so far as the same can or may be applied to the provisions of this act, and not inconsistent therewith, are hereby revived or re-enacted.

Certain provisions of act of 1857, ch. 1, revived. Vol. xi. p. 257.

SEC. 11. *And be it further enacted*, That, to defray all the expenses that may attend the execution of this act, the sum of two hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated.

Appropriation for expenses under this act.

APPROVED, July 17, 1861.

CHAP. VI. — *An Act making additional Appropriations for the Support of the Army for the fiscal Year ending June thirtieth, eighteen hundred and sixty-two, and Appropriations of Arrearages for the fiscal Year ending June thirtieth, eighteen hundred and sixty-one.*

July 17, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-two.

Army appropriations.

For expenses of recruiting, transportation of recruits from the different rendezvous to general depots, procuring of medical attendance, and all other expenses attending the raising of twenty-four thousand two hundred and eighty-five men, to be organized into nine regiments of infantry, one regiment of cavalry, and one regiment of artillery, as per general orders number sixteen, dated War Department, Adjutant-General's Office, Washington, May fourth, eighteen hundred and sixty-one, three hundred and fifty-eight thousand dollars.

Recruiting, &c.

For purchase of books of tactics and instruction for the volunteers, fifty thousand dollars.

Books of tactics.

For pay of the army, three million nine hundred and sixty-nine thousand eight hundred and forty-eight dollars and eighty-eight cents.

Pay and commutation.

For commutation of officers' subsistence, four hundred and seventy-eight thousand three hundred and seventeen dollars and sixty cents.

For commutation of forage for officers' horses, seventy-three thousand and fifty-six dollars.

For payments in lieu of clothing for officers' servants, fifty-seven thousand one hundred and eighty dollars.

For pay of the three months' volunteers, two million five hundred and seven thousand dollars.

For pay of the two and three years volunteers, fifty-five million dollars.

For subsistence in kind for regular troops, two million four hundred and

Subsistence.

ninety-three thousand four hundred and ninety-seven dollars and fifty cents.

For subsistence in kind for two and three years' volunteers, twenty-three million eighty-four thousand two hundred and eighty-four dollars.

Quartermaster's department.

For the regular supplies of the quartermaster's department, consisting of fuel for the officers, enlisted men, guard, hospital, storehouses, and offices; of forage in kind for the horses, mules, and oxen of the quartermaster's department at the several posts and stations, and with the armies in the field; for the horses of the regiments of dragoons, and for the authorized number of officers' horses when serving in the field and at the outposts, including bedding for the animals; of straw for soldiers' bedding; and of stationery, including blank-books for the quartermaster's department, certificates for discharged soldiers, blank forms for the pay and quartermaster's department, and for printing of division and department orders and reports, fourteen million two hundred and sixty-five thousand fifty-nine dollars and thirty-seven cents.

For the incidental expenses of the quartermaster's department, consisting of postage on letters and packets received and sent by officers of the army on public service; expenses of courts-martial and courts of inquiry, including the additional compensation of judges advocate, recorders, members, and witnesses, while on that service, under the act of [March sixteenth] eighteen hundred and two; extra pay to soldiers employed under the direction of the quartermaster's department in the erection of barracks, quarters, storehouses, and hospitals, in the construction of roads, and other constant labor, for periods of not less than ten days, under the acts of second of March, eighteen hundred and nineteen, and of fourth of August, eighteen hundred and fifty-four, including those employed as clerks at division and department headquarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to pay-masters and other disbursing officers, and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field, or at the posts on the frontiers, or at other posts and places, when ordered by the Secretary of War, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the quartermaster's department, including the hire of interpreters and guides for the army; compensation of clerks to officers of the quartermaster's department; compensation of forage and wagon masters, authorized by the act of fifth July, eighteen hundred and thirty-eight; for the apprehension of deserters and the expenses incident to their pursuit; and for the following expenditures required for the regiments of dragoons and light artillery, viz.: the purchase of travelling forges, blacksmiths' and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, picket ropes, and for shoeing the horses of the corps named, seven million six hundred and sixty-six thousand six hundred and sixty-six dollars.

1802, ch. 9,
§§ 21, 22.
Vol. ii. p. 136.

1819, ch. 45.
Vol. iii. p. 488.
1854, ch. 247,
§ 6.
Vol. x. p. 576.

1838, ch. 162,
§ 10.
Vol. v. p. 257.

Dragoon and
artillery horses.

For the purchase of dragoon and artillery horses, ten million five hundred and fourteen thousand five hundred dollars.

Mileage.

For mileage, or the allowance made to officers of the army for the transportation of themselves and their baggage when travelling on duty without troops, escorts or supplies, five hundred thousand dollars.

Transportation.

For transportation of the army, including the baggage of the troops when moving either by land or water; of clothing, camp and garrison equipage, from the depot at Philadelphia to the several posts and army depots, and from those depots to the troops in the field; and subsistence from the places of purchase and from the places of delivery, under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small arms from the foundries and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls, and ferriages; the purchase and hire of

horses, mules, and harness, and the purchase and repair of wagons, carts, and drays; and of ships and other sea-going vessels and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic, and for procuring water at such posts as from their situation require it to be brought from a distance; and for clearing roads and removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operation of the troops in the field, sixteen million two hundred and twenty thousand nine hundred and fifty-four dollars.

Public transports.
Water.
Roads.

For gunboats on the western rivers, one million dollars.

Gunboats.

Hire of quarters for troops; of storehouses for the safe-keeping of military stores; of grounds for summer cantonments, and for temporary huts, one million five hundred thousand dollars.

Quarters, &c.

For clothing, camp and garrison equipage, thirteen million four hundred and sixteen thousand four hundred and thirty-seven dollars and two cents.

Clothing.

For contingencies of the army, two hundred thousand dollars.

Contingencies.

For the medical and hospital departments, one million two hundred and seventy-one thousand eight hundred and forty-one dollars.

Medical and hospital departments.

For armament of fortifications, four hundred and fifty-seven thousand six hundred dollars.

Armament of fortifications.

For the current expenses of the ordnance service, two hundred and six thousand two hundred and ninety-two dollars.

Ordnance.

For ordnance, ordnance stores, and supplies, including horse equipments for all mounted troops, two million three hundred and sixty thousand dollars.

For the manufacture of arms, two million five hundred and seventy-three thousand three hundred and ten dollars.

Manufacture of arms.

For increasing the manufacturing capacity of the national armory, four hundred and twenty-two thousand five hundred dollars.

For the purchase of gunpowder and lead, four hundred and fifty-one thousand seven hundred and eighty dollars.

Gunpowder and lead.

For the purchase of artillery horses, two hundred and seventy-five thousand dollars.

Artillery horses.

For additions to and extensions of the shop-room, machinery, tools and fixtures at the different arsenals, one hundred and twenty-six thousand six hundred and ninety dollars.

For the following fortifications:

Fortifications.

Fort Montgomery, Lake Champlain, New York, twenty thousand dollars.

Fort Knox, Penobscot River, Maine, twenty thousand dollars.

Fort on Hog Island Ledge, Portland harbor, Maine, fifteen thousand dollars.

Fort Adams, Newport harbor, Rhode Island, five thousand dollars.

Fort Richmond, Staten Island, New York, ten thousand dollars.

Fort on site of Fort Tompkins, Staten Island, New York, fifty thousand dollars.

Fort at Willet's Point, opposite Fort Schuyler, New York, one hundred thousand dollars.

Fort Carroll, Baltimore harbor, Maryland, twenty-five thousand dollars.

Fort Calhoun, Hampton Roads, Virginia, twenty-five thousand dollars.

Fort Taylor, Key West, Florida, one hundred thousand dollars.

Fort Jefferson, Garden Key, Florida, one hundred thousand dollars.

Fort at Fort Point, San Francisco bay, California, fifty thousand dollars.

Fort at Alcatraz Island, San Francisco bay, California, twenty-five thousand dollars.

Fort at Sandy Hook, New York harbor, one hundred thousand dollars.

Repairs, &c.,
of barracks.

For repairs and alterations of barracks quarters at forts not permanently occupied by troops, ten thousand dollars.

For contingencies of fortifications, thirty thousand dollars.

For surveys for military defences, fifty thousand dollars.

Refunding to
States expenses
of volunteers.

For amount required to refund to the States expenses incurred on account of volunteers called into the field, ten million dollars.

Arrearages for
year ending June
30, 1861.

SEC. 2. *And be it further enacted*, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for arrearages for the year ending thirtieth of June, eighteen hundred and sixty-one.

Subsistence of
volunteers.

For subsistence in kind for three months' volunteers, one million two hundred and eighty-one thousand dollars.

For subsistence in kind for two and three years' volunteers, four hundred and twenty thousand dollars.

Quartermas-
ter's department.

For the regular supplies of the quartermaster's department, five hundred and sixty-five thousand two hundred and forty-six dollars and sixty-three cents.

For incidental expenses of the quartermaster's department, three hundred and sixty-five thousand and thirteen dollars and eighty cents.

Transportation.

For transportation of the army and its supplies, two million two hundred and fifty-four thousand one hundred and eighty-six dollars and eighty-one cents.

For transportation of officers' baggage, fifteen thousand three hundred and sixty-seven dollars.

Dragoon horses.

For purchase of dragoon horses, two hundred and ninety-seven thousand three hundred and thirty-five dollars.

Clothing and
camp equipage.

For clothing, camp, and garrison equipage, one million three hundred and fifty thousand one hundred and fifty-one dollars and thirty-eight cents.

Ordnance.

For current expenses of ordnance service, twenty thousand dollars.

For ordnance, ordnance stores, and supplies, including horse equipments for all mounted troops, four hundred thousand dollars.

Manufacture
of arms.

For manufacture of arms, sixty thousand dollars.

For increasing the manufacturing capacity of the national armory, fifty thousand dollars.

Gunpowder
and lead.

For purchase of gunpowder and lead, forty thousand dollars.

Artillery horses.
Quarters for
troops, &c.

For purchase of artillery horses, twenty-five thousand dollars.

For hire of quarters for troops, of store-houses for the safe-keeping of military stores, of grounds for summer cantonments, and for temporary huts, one hundred and fifty-eight thousand, two hundred and eighty-three dollars, and eighty-one cents.

Appropriations
applicable to all
classes of volun-
teers.

SEC. 3. *And be it further enacted*, That all appropriations and all provisions of law herein contained applicable to three years' volunteers shall apply to two years' volunteers, and all other volunteers who have been or may be received into the service of the United States, for a period exceeding three months.

APPROVED, July 17, 1861.

July 18, 1861.

CHAP. VII. — *An Act to alter and regulate the Navy Ration.*

Navy ration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the navy ration shall consist of the following daily allowance of provisions to each person: One pound of salt pork, with half a pint of beans or peas; or one pound of salt beef, with half a pound of flour, and two ounces of dried apples, or other dried fruit; or three quarters of a pound of preserved meat, with half a pound of rice, two ounces of butter, and one ounce of desiccated

“mixed vegetables ;” or three quarters of a pound of preserved meat, two ounces of butter, and two ounces of desiccated potato ; together with fourteen ounces of biscuit, one quarter of an ounce of tea, or one ounce of coffee, or cocoa, two ounces of sugar, and a gill of spirits ; and of a weekly allowance of half a pound of pickles, half a pint of molasses, and half a pint of vinegar.

SEC. 2. *And be it further enacted,* That fresh or preserved meat may be substituted for salt beef or pork, and vegetables for the other articles usually issued with the salted meats ; allowing one and a quarter pound of fresh, or three quarters of a pound of preserved meat for one pound of salted beef or pork ; and regulating the quantity of vegetables so as to equal the value of the articles for which they may be substituted.

Substitution of articles.

SEC. 3. *And be it further enacted,* That should it be necessary to vary the above-described daily allowance, it shall be lawful to substitute one pound of soft bread, or one pound of flour, or half a pound of rice, for fourteen ounces of biscuit ; half a pint of wine for a gill of spirits ; half a pound of rice for half a pint of beans or peas ; half a pint of beans or peas for half a pound of rice.

Same subject.

SEC. 4. *And be it further enacted,* That in case of necessity, the daily allowance of provisions may be diminished or varied by the discretion of the senior officer present in command ; but payment shall be made to the persons whose allowance shall be thus diminished, according to the scale of prices which is, or may be, established for the same ; but a commander who shall thus make a diminution or variation shall report to his commanding officer, or to the Navy Department, the necessity for the same, and give to the paymaster written orders, specifying particularly the diminution or reduction which is to be made.

Daily allowance may be varied or diminished when necessary.

Proceedings in such case.

SEC. 5. *And be it further enacted,* That no commissioned or warrant officer, or any person under twenty-one years of age, shall be allowed to draw the spirit part of the daily ration ; and all other persons shall be permitted to relinquish that part of their rations under such restriction as the President of the United States may authorize ; and that the spirit portion of the daily ration may be suspended or stopped by the commanding officer, whenever, in his opinion, it shall be expedient, for cause of drunkenness ; and to any person who, by this section, is prohibited from drawing, or who may relinquish, the spirit part of his ration, there shall be paid, in lieu thereof, the sum of four cents per day.

Provision as to spirit ration.

Payment in lieu thereof.

SEC. 6. *And be it further enacted,* That the provisions of this act shall go into effect in the United States on the first day of the succeeding quarter after it becomes a law ; and in vessels abroad, on the first day of the succeeding quarter after its official receipt ; that any acts and parts of acts which may be contrary to, or inconsistent with, the provisions of this act, shall be, and are hereby, repealed.

When act to take effect.

Repealing clause.

SEC. 7. *And be it further enacted,* That the Secretary of the Navy be authorized to procure the preserved meats, pickles, butter, and desiccated vegetables in such manner and under such restrictions and guarantees as in his opinion will best insure the good quality of said articles.

Preserved meats, &c., how to be procured.

APPROVED, July 18, 1861.

CHAP. VIII. — *An Act making additional Appropriations for the Naval Service for the Year ending the thirtieth of June, eighteen hundred and sixty-two, and Appropriations of Arrearages for the Year ending the thirtieth of June, eighteen hundred and sixty-one.* July 18, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the year ending the thirtieth of June, eighteen hundred and sixty-two :

Naval appropriations.

For pay of commission, warrant, and petty officers and seamen, includ-

Pay.

ing the engineer corps of the navy, six million eight hundred and forty thousand dollars.

Repair and equipment.

For the repair and equipment of vessels of the navy eight million five hundred and seventy-five thousand dollars.

Fuel.

For fuel for the navy, to be purchased in the mode prescribed by law for other materials, and for the transportation thereof, one million and eighty thousand dollars.

Hemp.

For the purchase of hemp and other materials for the navy, three hundred thousand dollars.

Ordnance.

For ordnance and ordnance stores, including incidental expenses, three million five hundred and twenty thousand dollars.

Seven steam screw sloops.

1861, ch. 49, § 9. *Ante*, p. 151. Side-wheel steamer.

For the completion of seven steam screw sloops, authorized by act of February twenty-first, eighteen hundred and sixty-one, one million six hundred thousand dollars.

For the completion of seven steam screw sloops and side-wheel steamer, ninety-one thousand four hundred and thirty-nine dollars and eighty-two cents.

Provisions.

For provisions for commission, warrant, and petty officers and seamen, including engineers and marines attached to vessels for sea service, one million nine hundred and ninety-four thousand two hundred and twenty-two dollars and forty-seven cents.

Surgeons' necessaries, &c.

For surgeons' necessaries and appliances for the sick and hurt of the navy, including the engineer and marine corps, twenty-five thousand dollars.

Contingent expenses.

For contingent expenses that may accrue for the following purposes, viz.: freight and transportation, printing and stationery, advertising in newspapers, books, maps, models and drawings, purchase and repair of fire-engines and machinery, repairs of and attending to steam-engines in navy yards, purchase and maintenance of horses and oxen, and driving teams, carts, timber wheels, and the purchase and repairs of workmen's tools, postage on public letters, fuel, oil, and candles for navy yards and shore stations, pay of watchmen and incidental labor not chargeable to any other appropriation, transportation to and labor attending the delivery of provisions and stores on foreign stations, wharfage, dockage and rent, travelling expenses of officers and others under orders, funeral expenses, store and office rent, fuel, commissions and pay of clerks to navy agents and storekeepers, flags, awnings, and packing boxes, premiums and other expenses of recruiting, apprehending deserters, per diem pay to persons attending courts-martial, courts of inquiry, and other services authorized by law, pay to judges advocate, pilotage and towage of vessels, and assistance to vessels in distress, and for bills of health and quarantine expenses of vessels of the United States navy in foreign ports, one million fifty-two thousand three hundred dollars: *Provided*, That the expenditures under the foregoing appropriations shall be so accounted for as to show the disbursements by each bureau, under each respective appropriation.

Each bureau to show its disbursements.

Marine Corps.

Marine Corps. For pay of officers, non-commissioned officers, musicians, privates, clerks, messengers, stewards, and servants, for rations and clothing for servants, additional rations for five years' service, for undrawn clothing and rations, bounties for re-enlistments, one hundred and sixty thousand two hundred and twenty-four dollars.

For provisions, forty-two thousand and forty-eight dollars.

For clothing, fifty-six thousand four hundred and forty-eight dollars.

For fuel, six thousand and forty-eight dollars.

For military stores, viz.: pay of armorers, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, fifes, and other instruments, six thousand dollars.

For transportation of officers and troops, and expenses of recruiting, eight thousand dollars.

For contingencies, viz.: freight, ferriage, toll, carriage, wharfage, pur-

chase and repair of boats, compensation to judges advocate, per diem for attending courts-martial, courts of inquiry, and for constant labor, house rent in lieu of quarters, burial of deceased marines, printing, stationery, postage, telegraphing, apprehension of deserters, oil, candles, gas, repair of gas and water fixtures, water rent, forage, straw, barrack furniture, furniture for officers' quarters, bed sacks, spades, shovels, axes, picks, carpenters' tools, keep of a horse for the messenger, pay of matron, washerwoman, and porter at the hospital head-quarters, repairs of fire-engine, purchase and repair of engine hose, purchase of lumber for benches, mess tables, bunks, repairs to public carryall, purchase and repair of harness, galleys and cooking stoves for mess rooms, stoves where there are no grates, gravel for parade grounds, repairs of pumps, furniture for staff and commanding officers' offices, brushes, brooms, buckets, paving, and for other purposes, twelve thousand dollars.

Navy Yards.

Navy Yards.

Portsmouth, New Hampshire. For repairs of all kinds, ten thousand dollars. Portsmouth, N.H.

Boston. For machinery, completing machine shop, drainage, masting sheers, repairs, and painting, one hundred and fifty-four thousand one hundred dollars. Boston.

New York. For hoisting apparatus for provision stores, four thousand six hundred and fifty dollars. New York.

For dredging channels, twenty thousand dollars.

For repairs of dry dock, six thousand dollars.

For water pipes, hydrants, two thousand five hundred dollars.

For floor for mould loft, one thousand two hundred dollars.

For bilge blocks for dry dock, three thousand dollars.

For new derrick, including foundation, twenty-one thousand nine hundred and eighty-eight dollars.

For floor to third story of machine shop and columns to support, three thousand dollars.

For railroad through new store, two thousand five hundred dollars.

For caisson to launching ways, eight thousand five hundred and forty-one dollars.

For repairs of all kinds, twenty-eight thousand four hundred and thirty dollars.

For removing small shears, one thousand dollars.

Philadelphia. For repairs of floating dock, forty thousand dollars. Philadelphia.

Washington. For repairs of all kinds, forty-four thousand four hundred and forty-seven dollars. Washington.

Mare Island. For repairs to floating dock, and other repairs in the yard, sixty thousand dollars. Mare Island.

For machinery for machine shop, thirty thousand dollars.

Naval Asylum, Philadelphia. For the extension of main sewer, eight hundred dollars. Naval Asylum.

For contingent expenses at the several navy yards, to meet extraordinary demands for the remainder of the current and the next fiscal year, one hundred thousand dollars. Contingent expenses of Navy Yards.

SEC. 2. *And be it further enacted,* That the following sums be, and they are hereby, appropriated for arrearages for the year ending thirtieth of June, eighteen hundred and sixty-one: Arrearages for year ending June 30, 1861.

For pay of commission, warrant, and petty officers and seamen, including the engineer corps of the navy, three hundred and thirty-nine thousand two hundred dollars. Pay.

For the charter of vessels, their purchase, fitting for war service, reservations due on existing contracts, the fitting out of the ships of war, three million eight hundred and sixty-six thousand dollars. Purchase and charter of vessels.

For ordnance and ordnance stores, including incidental expenses, ninety thousand dollars. Ordnance.

Contingent expenses.

For contingent expenses that may accrue for the following purposes, viz.: freight and transportation, printing and stationery, advertising in newspapers, books, maps, models, and drawings, purchase and repair of fire-engines and machinery, repairs of and attending to steam-engines in navy yards, purchase and maintenance of horses and oxen, and driving teams, carts, timber wheels, and the purchase and repair of workmen's tools, postage of public letters, fuel, oil, and candles for navy yards and shore stations, pay of watchmen and incidental labor not chargeable to any other appropriation, transportation to and labor attending the delivery of provisions and stores on foreign stations, wharfage, dockage, and rent, travelling expenses of officers and others under orders, funeral expenses, store and office rent, fuel, commissions and pay of clerks to navy agents and storekeepers, flags, awnings, and packing boxes, premiums and other expenses of recruiting, apprehending deserters, per diem pay to persons attending courts-martial, courts of inquiry, and other services authorized by law, pay to judges advocate, pilotage and towage of vessels, and assistance to vessels in distress, and for bills of health and quarantine expenses of vessels of the United States navy in foreign ports, ten thousand dollars; and the Secretary of the Navy is hereby authorized to expend so much of the sums remaining in the Treasury on the first of July, eighteen hundred and sixty-one, to the credit of "printing and publication of sailing directions, wind and current charts, astronomical observations, and hydrographical surveys," as may be necessary for completing the unfinished work left at the Observatory by the late Superintendent: *Provided*, That the expenditures under the foregoing appropriations shall be so accounted for as to show the disbursements by each bureau under each respective appropriation.

Printing sailing directions.

Each bureau to show its own disbursements.

Patented articles connected with marine engines not to be bought unless, &c.

SEC. 3. *And be it further enacted*, That no patented article connected with marine engines shall be hereafter purchased or attached to, or used in connection with any steam vessel of war, until the same shall have been submitted to, and officially recommended in writing for purchase and use by a competent board of naval engineers.

APPROVED, July 18, 1861.

July 22, 1861.

CHAP. IX. — *An Act to authorize the Employment of Volunteers to aid in enforcing the Laws and protecting Public Property.*

Preamble.

1861, ch. 17.
Post, p. 274.

1863, ch. 84.
Post, p. 758.

Whereas, certain of the forts, arsenals, custom-houses, navy yards, and other property of the United States have been seized, and other violations of law have been committed and are threatened by organized bodies of men in several of the States, and a conspiracy has been entered into to overthrow the Government of the United States: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to accept the services of volunteers, either as cavalry, infantry, or artillery, in such numbers, not exceeding five hundred thousand, as he may deem necessary, for the purpose of repelling invasion, suppressing insurrection, enforcing the laws, and preserving and protecting the public property: *Provided*, That the services of the volunteers shall be for such time as the President may direct, not exceeding three years nor less than six months, and they shall be disbanded at the end of the war. And all provisions of law applicable to three years' volunteers shall apply to two years' volunteers, and to all volunteers who have been, or may be, accepted into the service of the United States, for a period not less than six months, in the same manner as if such volunteers were specially named. Before receiving into service any number of volunteers exceeding those now called for and accepted, the President shall, from time to time, issue his proclamation, stating the number desired, either as

Volunteers, not exceeding 500,000 may be accepted to suppress insurrection, &c.

Term of service; disbandment.

To be called for by proclamation

cavalry, infantry, or artillery, and the States from which they are to be furnished, having reference, in any such requisition, to the number then in service from the several States, and to the exigencies of the service at the time, and equalizing, as far as practicable, the number furnished by the several States, according to Federal population.

SEC. 2. *And be it further enacted*, That the said volunteers shall be subject to the rules and regulations governing the army of the United States, and that they shall be formed, by the President, into regiments of infantry, with the exception of such numbers for cavalry and artillery, as he may direct, not to exceed the proportion of one company of each of those arms to every regiment of infantry, and to be organized as in the regular service. Each regiment of infantry shall have one colonel, one lieutenant-colonel, one major, one adjutant, (a lieutenant,) one quartermaster, (a lieutenant,) one surgeon and one assistant surgeon, one sergeant-major, one regimental quartermaster-sergeant, one regimental commissary-sergeant, one hospital steward, two principal musicians, and twenty-four musicians for a band, and shall be composed of ten companies, each company to consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, four sergeants, eight corporals, two musicians, one wagoner, and from sixty-four to eighty-two privates.

SEC. 3. *And be it further enacted*, That these forces, when accepted as herein authorized, shall be organized into divisions of three or more brigades each; and each division shall have a major-general, three aides-de-camp, and one assistant adjutant-general with the rank of major. Each brigade shall be composed of four or more regiments and shall have one brigadier-general, two aides-de-camp, one assistant adjutant-general with the rank of captain, one surgeon, one assistant quartermaster, and one commissary of subsistence.

SEC. 4. *And be it further enacted*, That the President shall be authorized to appoint, by and with the advice and consent of the Senate, for the command of the forces provided for in this act, a number of major-generals, not exceeding six, and a number of brigadier-generals, not exceeding eighteen, and the other division and brigade officers required for the organization of these forces, except the aides-de-camp, who shall be selected by their respective generals from the officers of the army or volunteer corps: *Provided*, That the President may select the major-generals and brigadier-generals provided for in this act, from the line or staff of the regular army, and the officers so selected shall be permitted to retain their rank therein. The governors of the States furnishing volunteers under this act, shall commission the field, staff, and company officers requisite for the said volunteers; but, in cases where the State authorities refuse or omit to furnish volunteers at the call or on the proclamation of the President, and volunteers from such States offer their services under such call or proclamation, the President shall have power to accept such services, and to commission the proper field, staff, and company officers.

SEC. 5. *And be it further enacted*, That the officers, non-commissioned officers, and privates, organized as above set forth, shall, in all respects, be placed on the footing, as to pay and allowances, of similar corps of the regular army: *Provided*, That the allowances of non-commissioned officers and privates for clothing, when not furnished in kind, shall be three dollars and fifty cents per month, and that each company officer, non-commissioned officer, private, musician, and artificer of cavalry shall furnish his own horse and horse equipments, and shall receive forty cents per day for their use and risk, except that in case the horse shall become disabled, or shall die, the allowance shall cease until the disability be removed or another horse be supplied. Every volunteer non-commissioned officer, private, musician, and artificer, who enters the service of the United States under this act, shall be paid at the rate of fifty cents in lieu of subsistence, and if a cavalry volunteer, twenty-five cents additional, in lieu of forage, for

and in proportion to population of States.
1861, ch. 34, § 2.
Post, p. 285.

To be subject to army rules and regulations.
How to be formed.

Infantry regiments, how made up.

1862, ch. 127, § 3.
Post, p. 502.
1862, ch. 200.
Post, p. 594.

Divisions and brigades,
how composed and officered.

Major-generals and brigadier-generals to be appointed.

may be selected from regular army, and retain their rank therein.

Field, staff and company officers, how commissioned.

Pay to be that of same grades in regular army.

Proviso.
[Repealed in part, 1862, ch. 200, § 10. Post, p. 595.]

Commutation of subsistence and travel.

every twenty miles of travel from his place of enrolment to the place of muster—the distance to be measured by the shortest usually travelled route; and when honorably discharged an allowance at the same rate, from the place of his discharge to his place of enrolment, and, in addition thereto, if he shall have served for a period of two years, or during the war, if sooner ended, the sum of one hundred dollars: *Provided*, That such of the companies of cavalry herein provided for, as may require it, may be furnished with horses and horse equipments in the same manner as in the United States army.

Proviso.

Provision for volunteers wounded or disabled, or killed or dying in service.

Post, p. 535.

SEC. 6. *And be it further enacted*, That any volunteer who may be received into the service of the United States under this act, and who may be wounded or otherwise disabled in the service, shall be entitled to the benefits which have been or may be conferred on persons disabled in the regular service, and the widow, if there be one, and if not, the legal heirs of such as die, or may be killed in service, in addition to all arrears of pay and allowances, shall receive the sum of one hundred dollars.

Pay of regimental bands,

SEC. 7. *And be it further enacted*, That the bands of the regiments of infantry and of the regiments of cavalry shall be paid as follows: one-fourth of each shall receive the pay and allowances of sergeants of engineer soldiers; one-fourth those of corporals of engineer soldiers; and the remaining half those of privates of engineer soldiers of the first class; and the leaders of the band shall receive the same pay and emoluments as second lieutenants of infantry.

wagoners and saddlers, &c.

Post, p. 594.

SEC. 8. *And be it further enacted*, That the wagoners and saddlers shall receive the pay and allowances of corporals of cavalry. The regimental commissary-sergeant shall receive the pay and allowances of regimental sergeant-major, and the regimental quartermaster-sergeant shall receive the pay and allowances of a sergeant of cavalry.

Each regiment to have a chaplain.

Appointment, qualifications, and duties.

Post, pp. 288, 595.

SEC. 9. *And be it further enacted*, That there shall be allowed to each regiment one chaplain, who shall be appointed by the regimental commander on the vote of the field officers and company commanders on duty with the regiment at the time the appointment shall be made. The chaplain so appointed must be a regular ordained minister of a Christian denomination, and shall receive the pay and allowances of a captain of cavalry, and shall be required to report to the colonel commanding the regiment to which he is attached, at the end of each quarter, the moral and religious condition of the regiment, and such suggestions as may conduce to the social happiness and moral improvement of the troops.

Military board for examination of commissioned officers of volunteers.

SEC. 10. *And be it further enacted*, That the general commanding a separate department or a detached army, is hereby authorized to appoint a military board or commission, of not less than three nor more than five officers, whose duty it shall be to examine the capacity, qualifications, propriety of conduct and efficiency of any commissioned officer of volunteers within his department or army, who may be reported to the board or commission; and upon such report, if adverse to such officer, and if approved by the President of the United States, the commission of such officer shall be vacated: *Provided always*, That no officer shall be eligible to sit on such board or commission, whose rank or promotion would in any way be affected by its proceedings, and two members at least, if practicable, shall be of equal rank of the officer being examined. And when vacancies occur in any of the companies of volunteers, an election shall be called by the colonel of the regiment to fill such vacancies, and the men of each company shall vote in their respective companies for all officers as high as captain, and vacancies above captain shall be filled by the votes of the commissioned officers of the regiment, and all officers so elected shall be commissioned by the respective Governors of the States, or by the President of the United States.

Effect of adverse report.

Proviso.

Vacancies in company officers, how filled.

In regimental officers.

Officers how commissioned. 1861, ch. 57, § 3. Post, p. 318.

Postage on letters written by

SEC. 11. *And be it further enacted*, That all letters written by soldiers in the service of the United States, may be transmitted through the mails

without prepayment of postage, under such regulations as the Post-Office Department may prescribe, the postage thereon to be paid by the recipients.

soldiers need not be prepaid.

Post, p. 332.

SEC. 12. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized and directed to introduce among the volunteer forces in the service of the United States, the system of allotment tickets now used in the navy, or some equivalent system, by which the family of the volunteer may draw such portions of his pay as he may request.

Allotment tickets may be introduced among the volunteer forces.

APPROVED, July 22, 1861.

CHAP. X. — *An Act authorizing the Secretary of the Treasury to remit Fines and Penalties incurred in certain Cases.*

July 24, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any moneys in the Treasury not otherwise appropriated, to the person or persons entitled to receive the same, the amount of such fines or penalties as have been incurred and paid by the owners or masters of vessels since the first day of December, eighteen hundred and sixty, in consequence of their failure to produce to collectors of the customs the clearances or other papers prescribed and required by the laws of the United States regulating the issue of marine papers, and the foreign and coasting trades: *Provided*, That the Secretary of the Treasury shall be satisfied in each case that there was no wilful negligence, or any intention of fraud on the part of the person or persons incurring the fines or penalties aforesaid, and that they were unable to obtain the requisite papers, by reason of there being no officer of the customs at the port of departure authorized to issue marine papers, or to grant clearances under the laws of the United States.

Secretary of Treasury may remit certain fines and penalties.

Proviso.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and is hereby, authorized to pay, out of any moneys in the Treasury not otherwise appropriated, to the person or persons entitled to receive the same, the sum of five hundred dollars, that being the amount of a fine improperly exacted by the collector of the customs at the port of Norfolk, Virginia, in the month of November, eighteen hundred and sixty, of the master of the "India," a Russian vessel.

\$500 to be paid for fine exacted of the "India."

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and is hereby, authorized to remit, in whole or in part, on such conditions, and under such regulations, not inconsistent with law, as he may prescribe, the additional duty secured by the bond given for the transportation of merchandise from a port in one collection district to a port in another collection district, prescribed by the sixth section of the act entitled "An act to extend the warehousing system by establishing private bonded warehouses, and for other purposes," approved the twenty-eighth day of March, eighteen hundred and fifty-four: *Provided*, That it shall be proved to the satisfaction of the Secretary of the Treasury that the failure to transport and deliver the merchandise aforesaid according to the conditions of the bond, occurred without wilful negligence or fraudulent intent on the part of the obligors.

Additional duties under transportation bonds may be remitted in certain cases.

1854, ch. 30, § 6, Vol. x. p. 272.

Proviso.

APPROVED, July 24, 1861.

CHAP. XI. — *An Act making additional Appropriations for sundry Civil Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-two, and Appropriations of Arrearages for the Year ending thirtieth of June, eighteen hundred and sixty-one.*

July 24, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereafter expressed, for

Civil expenses. Appropriations.

the fiscal year ending the thirtieth of June, eighteen hundred and sixty-two, viz.:

Steam or sailing revenue cutters. For purchase or construction of steam or sailing revenue cutters, equipping the same, and expenses connected therewith, four hundred and fifty thousand dollars.

Repair bridges, &c. For repair of the Potomac, Navy Yard, and upper bridges, and the roads appurtenant thereto, ten thousand dollars.

Repairs of Capitol. For annual repairs of the Capitol water-closets, public stables, water-pipes, broken glass, and locks, one thousand dollars.

Fuel. For fuel, in part, of the President's House, six hundred dollars.

Executive office. For contingent expenses of the executive office, including stationery therefor, one thousand dollars.

SEC. 2. *And be it further enacted*, That the following sums be, and they are hereby, appropriated, in like manner:

Foreign intercourse. For contingent expenses of foreign intercourse, twenty thousand dollars.

For contingent expenses of all the missions abroad, twenty-five thousand dollars.

Publication of Laws. For publication in pamphlet form and in the newspapers of the States and Territories the laws of the first session of the Thirty-seventh Congress, nine thousand dollars, or so much thereof as may be necessary.

Arrearages for year ending June 30, 1861. SEC. 3. *And be it further enacted*, That the following sums be, and the same are hereby appropriated, in like manner, for the year ending the thirtieth of June, eighteen hundred and sixty-one:

Lighting Capitol, &c. For lighting the Capitol and President's House, the public grounds around them, and around the executive offices, eight thousand dollars.

Executive office. For contingent expenses of the executive office, including stationery therefor, four hundred dollars.

Asbury Dickens to be credited with certain sum. SEC. 4. *And be it further enacted*, That the proper accounting officers of the Treasury are hereby directed to allow to Asbury Dickens, late Secretary of the Senate, in the settlement of his accounts, credit for a payment to Mrs. E. A. Richardson, of four hundred dollars, under a resolution of the Senate of the second of March, one thousand eight hundred and sixty-one.

APPROVED, July 24, 1861.

July 24, 1861.

CHAP. XII. — *An Act in Relation to forwarding Soldiers' Letters.*

Prepaid letters to soldiers may be forwarded, &c. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all prepaid letters to soldiers in any regiment in the service of the United States, and directed to them at a point where they have been stationed, may be forwarded, whenever practicable, to any other point to which they may have been ordered, without further charge thereon.

APPROVED, July 24, 1861.

July 24, 1861.

CHAP. XIII. — *An Act to provide for the temporary Increase of the Navy.*

Temporary increase of navy. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for and during the present insurrection the Secretary of the Navy shall be, and he is hereby, authorized to hire, purchase, or contract for such vessels as may be necessary for the temporary increase of the navy of the United States, and he is also hereby authorized to furnish any vessel or vessels which may be purchased or contracted for, with such ordnance, ordnance stores, and munitions of war, as may be necessary to enable such vessel or vessels to render the most efficient service, pursuant to the orders which may be given to their respective commanders.

Temporary appointments by SEC. 2. *And be it further enacted*, That the temporary appointments made, or which may be made, by the Secretary of the Navy, of acting

lieutenants, acting paymasters, acting assistant surgeons, acting masters and masters' mates, are hereby ratified and confirmed as temporary acting appointments, until the return of the vessels in which they are respectively employed, or until the suppression of the present insurrection, as may be deemed necessary; and the rate of compensation allowed for the several grades specified is hereby legalized and approved.

Secretary of Navy confirmed, &c.
Post, pp. 587, 818.

SEC. 3. *And be it further enacted,* That for the purpose of carrying into effect the foregoing act, and to suppress piracy, and render more effective the closing of the ports of the insurgents, there be appropriated and placed at the disposal of the Navy Department the sum of three millions of dollars.

Appropriation.

APPROVED, July 24, 1861.

CHAP. XIV. — *An Act for the Relief of the Widows and Orphans of the Officers, Seamen, and Marines of the United States Sloop-of-war Levant, and for other Purposes.*

July 24, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of fixing the time at which shall commence the pensions under the existing laws, of the widows and orphan children of the officers, seamen, marines, and others in service, who were lost in the United States sloop-of-war Levant, as well as the time to which the pay of said officers, seamen, marines, and others in the service, shall be allowed, the thirtieth day of June, one thousand eight hundred and sixty-one, shall be deemed and taken to be the day on which the said sloop-of-war Levant foundered at sea.

The Levant to be deemed as lost June 30, 1861, for certain purposes.

SEC. 2. *And be it further enacted,* That the widow, or child, or children, and in case there shall be no widow, or child, or children, (as aforesaid,) then the parent or parents, and if there be no parents, the brothers and sisters of the officers, seamen, marines, and others in service, who were lost in said sloop-of-war Levant, including captain's clerk and assistant draughtsman, shall be entitled to and receive, out of any money in the Treasury not otherwise appropriated, a sum equal to twelve months' pay of their respective deceased relations aforesaid, in addition to the pay due to the said deceased at the date of the loss of said vessel.

Additional pay to widows and children, &c. of those lost.

SEC. 3. *And be it further enacted,* That the proper accounting officers of the Treasury Department be, and are hereby, authorized and directed to settle the accounts of Andrew J. Watson, late purser in the navy, who was lost in the sloop-of-war Levant, with all his accounts and vouchers for expenditures and payments made by him, and with all the money, stores, and supplies procured for the use of said vessel and to allow him a credit for whatever sum appears to be due from him on the books of the Department.

Accounts of Andrew J. Watson to be settled.

APPROVED, July 24, 1861.

CHAP. XV. — *An Act for the Relief of certain Musicians and Soldiers stationed at Fort Sumter, in South Carolina.*

July 24, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of eleven hundred and fifty dollars to remunerate soldiers and members of the band stationed at Fort Sumter, in South Carolina, for losses of private property incurred in the removal from Fort Moultrie to Fort Sumter, on the evening of December twenty-six, eighteen hundred and sixty; said sum to be distributed as follows, namely: To the band, four hundred dollars; to company E, first artillery, five hundred dollars; to company H, first artillery, two hundred and fifty dollars; and to be divided among the members of said band and

Certain musicians and soldiers at Fort Sumter to be paid for losses of private property.

said companies suffering losses, or the heirs of such persons as aforesaid, according to the award of the commanding officers of the several commands.

APPROVED, July 24, 1861.

July 24, 1861.

CHAP. XVI.—*An Act for the Relief of the Ohio and other Volunteers.*

Preamble.
1795, ch. 36, § 2.
Vol. i. p. 424.

1861, ch. 63.
Post, p. 326.

Volunteers to be paid from the date of their organization and acceptance as companies by the governor of the State.

Whereas the War Department has decided that the term of service of the ninety days' volunteers, called out under the act of seventeen hundred and ninety-five, commenced only on the day when they were actually sworn into the service of the United States; and whereas, the troops now in service of the United States from the State of Ohio were not sworn into said service until some days after their organization and acceptance as companies by the Governor of said State, and that for such period, under existing laws, no payment can be made: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper disbursing officer compute and pay to the said volunteers compensation from the day of their organization and acceptance as companies by the Governor of the State of Ohio, as aforesaid, until the expiration of their term of service.

SEC. 2. *And be it further enacted,* That where the militia of other States are situated similarly with those of Ohio, the War Department pay them according to the provisions of the foregoing section.

APPROVED, July 24, 1861.

July 25, 1861.

1861, ch. 9, ante,
p. 268.

Volunteers may be accepted in such numbers as the public exigencies demand.

Proviso.

How to be mustered into service, armed, &c.

Appointment of major-generals and brigadier-generals.

CHAP. XVII.—*An Act in addition to the "Act to authorize the Employment of Volunteers to aid in enforcing the Laws and protecting Public Property," approved July twenty-second, eighteen hundred and sixty-one.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to accept the services of volunteers, either as cavalry, infantry, or artillery, in such numbers as the exigencies of the public service may in his opinion demand, to be organized as authorized by the act of the twenty-second of July, eighteen hundred and sixty-one: *Provided,* That the number of troops hereby authorized shall not exceed five hundred thousand.

SEC. 2. *And be it further enacted,* That the volunteers authorized by this act shall be armed as the President may direct; they shall be subject to the rules and articles of war, and shall be upon the footing, in all respects, with similar corps of the United States army, and shall be mustered into the service for "during the war."

SEC. 3. *And be it further enacted,* That the President shall be authorized to appoint, by and with the advice and consent of the Senate, for the command of the volunteer forces, such number of major-generals, and of brigadier-generals, as may, in his judgment, be required for their organization.

APPROVED, July 25, 1861.

July 25, 1861.

CHAP. XVIII.—*An Act to refund Duties on Arms imported by States.*

Duties paid on arms imported by States to be refunded.

1861, ch. 1,
ante, p. 255.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be and is hereby authorized to refund, out of any money in the Treasury not otherwise appropriated, the duties paid on arms imported by States, under the conditions and subject to the limitation of the act approved the tenth day of July, eighteen hundred and sixty-one, entitled "An act to refund and remit the duties on arms imported by States."

APPROVED, July 25, 1861.

CHAP. XIX. — *An Act for the better Organization of the Marine Corps.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the passage of this act, the United States Marine Corps shall consist of the following officers, non-commissioned officers, musicians, and privates, viz.: One colonel commandant, one colonel, two lieutenant-colonels, four majors, one adjutant and inspector, one paymaster, one quartermaster, two assistant quartermasters, twenty captains, thirty first lieutenants, thirty second lieutenants, one sergeant-major, one quartermaster-sergeant, one drum-major, one principal musician, two hundred sergeants, two hundred and twenty corporals, thirty musicians for band, sixty drummers, sixty fifers, and twenty-five hundred privates.

Marine Corps to consist of, &c.

SEC. 2. *And be it further enacted,* That the commissions of the officers now in the marine corps shall not be vacated by this act; and that the President of the United States may, during the recess of the Senate, first by promotions, and then by selections, appoint the officers hereby authorized, which appointments shall be submitted to the Senate, at their next session, for their advice and consent.

Commissions of present officers not vacated.

Appointments.

SEC. 3. *And be it further enacted,* That the appointment of commissioned officers to be made under the provisions of this act shall be of persons between the ages of twenty and twenty-five years, and [they] shall be subjected, under the direction of the Secretary of the Navy, to an examination as to their qualifications for the service to which they are to be appointed.

Officers appointed to be between 20 and 25 years of age, and to be examined.

APPROVED, July 25, 1861.

CHAP. XX. — *An Act relative to the Revenue Marine, to fix the Compensation of the Officers thereof, and for other Purposes.* July 25, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the compensation of the officers of the revenue cutters shall be at the following rates, to wit:

Officers of revenue cutters.

DUTY PAY.

Duty pay.

- Captains, eighteen hundred dollars per annum.
- First lieutenants, fourteen hundred dollars per annum.
- Second lieutenants, twelve hundred dollars per annum.
- Third lieutenants, nine hundred dollars per annum.

LEAVE OF ABSENCE OR WAITING ORDERS PAY.

Leave of absence pay.

- Captains, twelve hundred dollars per annum.
- First lieutenants, one thousand dollars per annum.
- Second lieutenants, eight hundred dollars per annum.
- Third lieutenants, seven hundred dollars per annum.

SEC. 2. *And be it further enacted,* That the number of officers for each revenue vessel shall be one captain and three lieutenants, first, second, and third; and of a steam-vessel, one engineer, and one assistant engineer, and such number of petty officers and men as in the opinion of the Secretary of the Treasury may be required to make the vessels efficient for the duties required of them: *Provided,* That the Secretary of the Treasury shall have the power to assign any greater number of officers than is herein prescribed should the nature of the service to which any vessel may be assigned in his opinion require it.

Officers of each vessel.

Proviso.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury shall have the power to direct the performance of any service by the revenue vessels which, in his judgment, may be necessary for the protection of the revenue.

What service revenue vessels may perform.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury may, at his discretion, dispose of any of the vessels now belonging to the revenue marine which, in his opinion, are unsuitable for service, and to

Certain revenue vessels may be sold and others substituted.

substitute therefor such other vessels as the advanced naval architecture and the increased wants of the service demand: *Provided*, That no expenditure shall be incurred beyond the specific appropriation therefor.

Proviso.

The Harriet Lane may be transferred to the Navy.

Proviso.

Additional engineers and assistants may be appointed.

SEC. 5. *And be it further enacted*, That the President of the United States, with the assent of the Secretary of the Treasury, may transfer the steamer "Harriet Lane" permanently to the navy: *Provided*, That the cost of said steamer shall be refunded to the appropriation "for a suitable steamer for a revenue cutter," and which amount, together with the proceeds of any vessels disposed of by authority of this act, may be applied to the building or purchase of such other vessels as may be required.

SEC. 6. *And be it further enacted*, That there may be appointed such number of additional engineers and assistant engineers as may be required by the steamers now or hereafter in the service.

APPROVED, July 25, 1861.

July 27, 1861. **CHAP. XXI.** — *An Act to indemnify the States for Expenses incurred by them in Defence of the United States.*

Post, p. 615.

States to be indemnified for expenses incurred in defence of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed, out of any money in the Treasury not otherwise appropriated, to pay to the Governor of any State, or to his duly authorized agents, the costs, charges, and expenses properly incurred by such State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States, to be settled upon proper vouchers, to be filed and passed upon by the proper accounting officers of the Treasury.

APPROVED, July 27, 1861.

July 27, 1861. **CHAP. XXII.** — *An Act making additional Appropriations for the Legislative, Executive, and Judicial Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-two, and Appropriations of Arrearages for the Year ending thirtieth of June, eighteen hundred and sixty-one.*

Legislative, Executive, &c. appropriation.

House of Representatives.

Reporting.

Treasury Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-two, namely:

Contingent expenses of the House of Representatives.—For stationery, four thousand six hundred dollars.

For pages and temporary mail-boys, four thousand eight hundred and forty dollars.

For laborers, one thousand nine hundred and seventeen dollars.

For furniture and repairs and boxes for members, five thousand dollars.

For reporting proceedings of the called session of the Thirty-seventh Congress, at the rate per column fixed by law, eight thousand dollars: *Provided*, That the said proceedings shall be reported with and bound in the Congressional Globe and Appendix of the first regular session of the present Congress.

Treasury Department.—

Office of the Secretary of the Treasury.

For contingent expenses, including compensation of additional clerks who may be employed by the Secretary according to the exigencies of the public service, and additional compensation for extra labor of clerks in his office, twenty-five thousand dollars.

Interior Department.—For compiling and supervising the publication of the Biennial Register, per act of March *third*, [second] eighteen hundred and sixty-one, five hundred dollars. Interior Department. Biennial Register.

To enable the Secretary of the Interior to supply such newly created offices as are entitled thereto with full sets of the Statutes at Large, and to replace those once furnished to old officers which have since been unavoidably lost or destroyed, two thousand dollars. 1861, ch. 87, ante, p. 245. Statutes at Large.

For salaries of five clerks of class three, eleven clerks of class two, and four clerks of class one, per acts of April twenty-second and May thirty-first, eighteen hundred and fifty-four, twenty-eight thousand two hundred dollars. Clerks. 1854, ch. 52, ch. 60. Vol. x. pp. 276, 298.

For compensation of eight additional night watchmen for the Department of the Interior, at a salary of six hundred dollars each per annum, four thousand eight hundred dollars. Watchmen.

Surveyors-General.—For compensation of the surveyor-general of the Territory of Colorado, three thousand six hundred and nine dollars and eighty-nine cents. Surveyors-General.

For compensation of the surveyor-general of the Territory of Nevada, three thousand seven hundred and seventy-five dollars.

For compensation of the surveyor-general of the Territory of Dakota, two thousand one hundred and fifteen dollars and thirty-eight cents.

Contingent Expenses of the War Department.—

Office of the Secretary of War:

For the purpose of increasing temporarily the clerical force and messengers in the War Department and its bureaus, as follows, viz.: Additional clerks.

In the office of the Secretary of War, one clerk of the first class, two of the second, two of the third, and one of the fourth, and two assistant messengers, at an annual salary of eight hundred and forty dollars each. Office of Secretary.

In the office of the Quartermaster-General, five clerks of the first class, two of the second, two of the third, and one of the fourth, and two assistant messengers, at an annual salary of eight hundred and forty dollars each. Quartermaster-General.

In the office of the Commissary-General, three clerks of the first class and two of the second. Commissary-General.

In the office of Surgeon-General, one clerk of the third class. Surgeon-General.

In the office of the Paymaster-General, three clerks of the second class and three of the third. Paymaster-General.

In the Bureau of Topographical Engineers, two clerks of the third class. Topographical Engineers.

In the Ordnance Bureau, two clerks of the first class; forty-eight thousand seven hundred and sixty dollars. Ordnance.

And the Adjutant-General is authorized to employ in his office any number, not exceeding ten, of non-commissioned officers, to be selected by him from the army, in addition to his present clerical force. Adjutant-General.

For blank-books, stationery, binding, labor, and miscellaneous items, two thousand dollars. Blank-books, &c.

Office of the Adjutant-General:

For blank-books, binding, stationery, and miscellaneous items, one thousand dollars.

Office of the Paymaster-General:

For blank-books, binding, stationery, and miscellaneous items, five hundred dollars.

Office of the Surgeon-General:

For blank-books, binding, stationery, and miscellaneous items, five hundred dollars.

Office of the Colonel of Ordnance:

For blank-books, binding, stationery, and miscellaneous items, one thousand five hundred dollars.

Office of the Colonel of Topographical Engineers:

For blank-books, binding, stationery, and miscellaneous items, eight hundred dollars.

Northwest Executive Building. — *For the General Purposes of the Northwest Executive Building.* — For fuel, light, and miscellaneous items, one thousand dollars.

Mint.

Mint of the United States at Philadelphia. — For transportation of bullion from assay office to the mint for coinage, forty thousand four hundred and seventy-four dollars and eighty-three cents.

Independent Treasury.

Independent Treasury. — For increased establishment of office of Assistant Treasurer of the United States at New York, seven thousand two hundred dollars; being for additional clerks and compensation to clerks in said office.

For additional compensation of clerk of Assistant Treasurer of the United States at Saint Louis, three hundred dollars.

Government in Territories.

GOVERNMENT OF THE TERRITORIES.

Dakota.

Territory of Dakota. — For salaries of governor, three judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Nevada.

Territory of Nevada. — For salaries of governor, three judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

District attorneys and marshals.

For compensation of the district attorney for the Territory of Dakota, two hundred and fifty dollars.

For compensation of the district attorney for the Territory of Nevada, two hundred and fifty dollars.

For compensation of the marshal for the Territory of Dakota, two hundred dollars.

For compensation of the marshal for the Territory of Nevada, two hundred dollars.

Surveyors-general.

For office rent for the surveyor-general of the Territory of Colorado, fuel, furniture, books, stationery, and other incidental expenses, two thousand dollars.

For office rent for the surveyor-general of the Territory of Nevada, furniture, fuel, books, stationery, and other incidental expenses, two thousand dollars.

For office rent for the surveyor-general of the Territory of Dakota, furniture, fuel, books, stationery, and other incidental expenses, two thousand dollars.

Registers and receivers.

For salaries and commissions of registers of land-offices and receivers of public moneys, two thousand five hundred dollars.

Penitentiary.

For incidental expenses of the several land-offices, two thousand dollars
For the support and maintenance of the penitentiary of the District of Columbia, five thousand dollars.

Additional clerks.

For the pay of eight additional first class clerks in the Navy Department, nine thousand six hundred dollars.

Assistant Secretary of the Navy.

For the salary of Assistant Secretary of the Navy, four thousand two hundred dollars.

Additional laborers.

For the yearly compensation of the two laborers employed in the library of Congress, which is hereby fixed at five hundred dollars each, beginning July first, eighteen hundred and sixty-one, one thousand dollars.

SEC. 2. *And be it further enacted,* That the following sum be and the

same is hereby appropriated, in like manner, for the year ending the thirtieth of June, eighteen hundred sixty-one :

For the support and maintenance of the penitentiary in the District of Columbia, seven thousand nine hundred and eighty-one dollars and eighty cents.

Penitentiary.

SEC. 3. *And be it further enacted*, That the sum of ten thousand one hundred and fifty dollars appropriated for the contingent expenses of the office of the Auditor of the Treasury for the Post-Office Department, in "An Act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending the thirtieth day of June, eighteen hundred and sixty-two," approved February twentieth, eighteen hundred and sixty-one, shall be applied, so far as may be necessary, to pay for stationery, horse for use of the office, lights, washing, towels, ice, and miscellaneous items, in addition to the items mentioned in said appropriation.

Office of Auditor of Treasury for P. O. Department.

1861, ch. 44, ante, p. 137.

APPROVED, July 27, 1861.

CHAP. XXIII. — *An Act to provide for the Payment of the Police organized by the United States for the City of Baltimore, and to enable the Mint to furnish small Gold Coins, and to provide for the Manufacture or Purchase of Field Signals.*

July 27, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the maintenance of said police there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars.

Payment of United States police in Baltimore.

SEC. 2. *And be it further enacted*, That of said sum not more than twenty thousand dollars shall be expended in any one month for said purpose, and that the same shall cease when the said police are dismissed from service by the United States: *And provided*, That the disbursements of the amount hereby allowed shall be made only with the sanction and by the authority of the Commanding General of that Military Department.

How money to be expended.

Disbursements, how sanctioned.

SEC. 3. *And be it further enacted*, That there be and hereby is appropriated, out of any money in the Treasury not otherwise appropriated, the following sums, viz :

Appropriations.

To enable the mint to furnish such small gold coins as may be required for the public service, forty thousand dollars, or so much thereof as may be necessary.

Mint.

For the manufacture or purchase of apparatus and equipments for field signals, five thousand dollars.

Field signals.

APPROVED, July 27, 1861.

CHAP. XXIV. — *An Act to increase the present Military Establishment of the United States.*

July 29, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to the regular army, as now authorized by law, nine regiments of infantry, one regiment of cavalry, and one regiment of artillery; each regiment of infantry to consist of not less than two nor more than three battalions, as the exigencies of the public service may, in the opinion of the President of the United States, demand; each battalion to consist of eight companies; each company to consist of one captain, one first and one second lieutenant, one first sergeant, four sergeants, eight corporals, two musicians, and as many privates, not exceeding eighty-two, as the President of the United States may, according to the requirements of military service, direct. The regiment of cavalry hereby authorized shall consist of not more than three battalions of not more than two squadrons each; and each squadron shall consist of two companies, each company to be composed of one captain, one first and one second lieutenant, one first ser-

1861, ch. 47. Post, p. 314.

Increase of military establishment.

Organization of infantry regiments.

Battalions. Companies.

Cavalry regiment.

Squadrons.

geant, one quartermaster-sergeant, four sergeants, eight corporals, two musicians, two farriers, one saddler, one wagoner, and as many privates, not exceeding seventy-two, as the President of the United States may, according to the requirements of the military service, direct. The regiment of artillery hereby authorized shall consist of not more than twelve batteries; and each battery shall consist of one captain, one first and one second lieutenant, one first sergeant, one quartermaster-sergeant, four sergeants, eight corporals, two musicians, two artificers, one wagoner, and as many privates, not exceeding one hundred and twenty-two, as the President of the United States may, according to the requirements of the military service, direct. And there may be added to the aforesaid battery organization, at the discretion of the President, having due regard to the public necessities and means, one first and one second lieutenant, two sergeants, and four corporals.

Artillery regi-
ment.

Batteries.

Field and staff
commissioned
and non-commis-
sioned officers.

Infantry regi-
ments.

SEC. 2. *And be it further enacted,* That the field and staff commissioned and non-commissioned officers of the regiments hereinbefore authorized shall be as follows: To each regiment of infantry, one colonel, one lieutenant-colonel, one regimental adjutant, one regimental quartermaster and commissary, one drum-major, or leader of the band, and two principal musicians; and to each battalion of infantry, one major, one battalion adjutant, one battalion quartermaster and commissary, one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, and one hospital-steward; the regimental and battalion adjutants, and quartermasters and commissaries, to be taken from the lieutenants of the regiments and battalions, respectively: To the regiment of cavalry, one colonel, one lieutenant-colonel, one regimental adjutant, one regimental quartermaster and commissary, and two chief buglers; and to each battalion of cavalry, one major, one battalion adjutant, one battalion quartermaster and commissary, one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, one hospital-steward, one saddler sergeant, and one veterinary sergeant; the regimental adjutant and the regimental and battalion quartermasters and commissaries to be taken from the lieutenants of the regiments and battalions, respectively: To the regiment of artillery, one colonel, one lieutenant-colonel, one major to every four batteries, one adjutant, one regimental quartermaster and commissary, to be taken from the lieutenants of the regiment, one sergeant-major, one quartermaster-sergeant, one commissary-sergeant, two principal musicians, and one hospital-steward — and the bands of the regular regiments shall consist of not more than twenty-four musicians for each regiment of infantry and artillery, and sixteen musicians for each regiment of mounted troops.

Cavalry regi-
ments.

Artillery regi-
ments.

Four major-gen-
erals and six brig-
adier-generals to
be added to army.

Post, pp. 314, 509.

SEC. 3. *And be it further enacted,* That there shall be added to the army of the United States the following general officers, namely: Four major-generals, with three aides-de-camp each, to be taken from captains or lieutenants of the army, and six brigadier-generals, with two aides-de-camp each, to be taken from the lieutenants of the army.

Pay of officers
and men.

SEC. 4. *And be it further enacted,* That the officers and enlisted men raised in pursuance of the foregoing sections shall receive the same pay, emoluments, and allowances, and be on the same footing, in every respect, with those of corresponding grades and corps now in the regular service. The regimental bands will be paid as follows: one-fourth of each, the pay and allowances of sergeants of engineer soldiers; one-fourth, those of corporals of engineer soldiers; and one-half, those of engineer soldiers of the first class. The drum-major, or leader of the band, the pay and emoluments of a second lieutenant of infantry. The saddler sergeants, veterinary sergeants, company quartermaster-sergeants, and drum-majors, will receive the pay and allowances of sergeants of cavalry. The battalion adjutant and battalion quartermasters and commissaries will receive the emoluments now provided by law for regimental adjutants.

Regimental
bands.

Saddler, &c.,
sergeants.

Quartermasters
and commissa-
ries.

Term of enlist-
ments.

SEC. 5. *And be it further enacted,* That the term of enlistments made

and to be made in the years eighteen hundred and sixty-one and eighteen hundred and sixty-two, in the regular army, including the force authorized by this act, shall be for the period of three years, and those to be made after January one, eighteen hundred and sixty-three, shall be for the term of five years, as at present authorized, and that the men enlisted in the regular forces, after the first day of July, eighteen hundred and sixty-one, shall be entitled to the same bounties, in every respect, as those allowed or to be allowed to the men of the volunteer forces.

SEC. 6. *And be it further enacted,* That the increase of the military establishment created or authorized by this act is declared to be for service during the existing insurrection and rebellion; and within one year after the constitutional authority of the Government of the United States shall be re-established, and organized resistance to such authority shall no longer exist, the military establishment may be reduced to a number not exceeding twenty-five thousand men, unless otherwise ordered by Congress.

Increase of military establishment to last during rebellion; when to be reduced to 25,000 men.

SEC. 7. *And be it further enacted,* That the President of the United States shall cause regiments, battalions, and companies to be disbanded, and officers, non-commissioned officers, musicians, and privates to be discharged, so as to reduce the military establishment as is provided by the preceding section: *Provided,* That all of the officers of the regular army who have been or may be detached or assigned to duty for service in any other regiment or corps shall resume their positions in the regular army, and shall be entitled to the same rank, promotion, and emoluments as if they had continued to serve in their own regiments or corps.

Provision for disbandment.

Officers of regular army in other corps to retain rank, &c.

SEC. 8. *And be it further enacted,* That the enlistments for the regiments authorized by this act shall be in charge of the officers detailed for that purpose who are appointed to said regiments from civil life; and that in the mean time the officers appointed to the same from the regular army shall be detailed by the commanding general to such service in the volunteer regiments now in the field as will, in his judgment, give them the greatest military instruction and efficiency; and that the commanding general may, in his discretion, employ said officers with any part of the regular forces now in the field until the regiments authorized by this act shall have been fully recruited, and detail any of the officers now in the regular army to service with the volunteer regiments now in the field, or which may hereafter be called out, with such rank as may be offered them in said volunteer regiments, for the purpose of imparting to them military instruction and efficiency.

Enlistments to be in charge of officers appointed from civil life.

Other officers to be on duty in the field.

APPROVED, July 29, 1861.

CHAP. XXV. — *An Act to provide for the Suppression of Rebellion against and Resistance to the Laws of the United States, and to amend the Act entitled "An Act to provide for calling forth the Militia to execute the Laws of the Union," &c., passed February twenty-eight, seventeen hundred and ninety-five.*

July 29, 1861.
1795, ch. 36.
Vol. i. p. 424.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever, by reason of unlawful obstructions, combinations, or assemblages of persons, or rebellion against the authority of the Government of the United States, it shall become impracticable, in the judgment of the President of the United States, to enforce, by the ordinary course of judicial proceedings, the laws of the United States within any State or Territory of the United States, it shall be lawful for the President of the United States to call forth the militia of any or all the States of the Union, and to employ such parts of the land and naval forces of the United States as he may deem necessary to enforce the faithful execution of the laws of the United States, or to suppress such rebellion in whatever State or Territory thereof the laws of the United States may be forcibly opposed, or the execution thereof forcibly obstructed.

The President may call forth the militia and employ them when, &c.

President to command insurgents to disperse.

SEC. 2. *And be it further enacted,* That whenever, in the judgment of the President, it may be necessary to use the military force hereby directed to be employed and called forth by him, the President shall forthwith, by proclamation, command such insurgents to disperse and retire peaceably to their respective abodes, within a limited time.

Militia to be subject to rules of war, and to continue in service.

SEC. 3. *And be it further enacted,* That the militia so called into the service of the United States shall be subject to the same rules and articles of war as the troops of the United States, and be continued in the service of the United States until discharged by proclamation of the President: *Provided,* That such continuance in service shall not extend beyond sixty days after the commencement of the next regular session of Congress, unless Congress shall expressly provide by law therefor: *And provided further,* That the militia so called into the service of the United States shall, during their time of service, be entitled to the same pay, rations, and allowances for clothing as are or may be established by law for the army of the United States.

Limit of service.

Pay, &c.

Penalty for disobedience of orders of President.

SEC. 4. *And be it further enacted,* That every officer, non-commissioned officer, or private of the militia, who shall fail to obey the orders of the President of the United States in any of the cases before recited, shall forfeit a sum not exceeding one year's pay, and not less than one month's pay, to be determined and adjudged by a court-martial; and such officer shall be liable to be cashiered by a sentence of court-martial, and be incapacitated from holding a commission in the militia for a term not exceeding twelve months, at the discretion of the court; and such non-commissioned officer and private shall be liable to imprisonment, by a like sentence, on failure of payment of the fines adjudged against them, for one calendar month for every twenty-five dollars of such fine.

Courts-martial, how composed.

SEC. 5. *And be it further enacted,* That courts-martial for the trial of militia shall be composed of militia officers only.

Fines, how collected and paid.

SEC. 6. *And be it further enacted,* That all fines to be assessed as aforesaid shall be certified by the presiding officer of the court-martial, and shall be collected and paid over according to the provisions and in the manner prescribed by the seventh and eighth sections of the act of February twenty-eight, seventeen hundred and ninety-five, to which this is an amendment.

1795, ch. 36, §§ 7, 8.
Vol. i. p. 424.

Marshals to have in their districts the authority of sheriffs.

SEC. 7. *And be it further enacted,* That the marshals of the several districts of the United States, and their deputies, shall have the same powers in executing the laws of the United States as sheriffs and their deputies in the several States, have by law, in executing the laws of the respective States.

Act 1795, ch. 36, §§ 2, 3, 4, &c. repealed.

SEC. 8. *And be it further enacted,* That sections two, three, and four of the act entitled "An Act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for those purposes," approved February twenty-eight, seventeen hundred and ninety-five, and so much of the residue of said act and of all other acts as conflict with this act are hereby repealed.

Vol. i. p. 424.

APPROVED, July 29, 1861.

July 31, 1861.

CHAP. XXVII.—*An Act authorizing the Appointment of an Assistant Secretary of the Navy, and fixing the Salary of the same, and for other Purposes.*

Assistant Secretary of Navy authorized.

Salary and duties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President shall appoint, in the department of the Secretary of the Navy, by and with the advice and consent of the Senate, a competent person, who shall be called the Assistant Secretary of the Navy, whose salary shall be four thousand dollars, payable in the same manner as the salary of the Secretary of the Navy, who shall perform all such duties in the office of the Secretary of the Navy, belonging to that department, as shall be prescribed by the Secretary of

the Navy, or as may be required by law, and who shall act as Secretary of the Navy in the absence of that officer.

SEC. 2. *And be it further enacted,* That there be added to the clerical force of the Navy Department eight additional clerks, with a salary of twelve hundred dollars each per annum.

Additional clerks in the Navy Department.

APPROVED, July 31, 1861.

CHAP. XXVIII.—*An Act making an Appropriation to pay the Expenses of transporting and delivering Arms and Munitions of War to the loyal Citizens of the States of which the Inhabitants now are or hereafter may be in Rebellion against the Government of the United States, and to provide for the Expense of organizing them into Companies, Battalions, Regiments, or otherwise, for their own Protection against domestic Violence, Insurrection, Invasion, or Rebellion.*

July 31, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of two millions of dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended, under the direction of the President of the United States, in supplying and defraying the expenses of transporting and delivering such arms and munitions of war as in his judgment may be expedient and proper to place in the hands of any of the loyal citizens residing in any of the States of which the inhabitants are in rebellion against the Government of the United States, or in which rebellion is or may be threatened, and likewise for defraying such expenses as may be properly incurred in organizing and sustaining, while so organized, any of said citizens into companies, battalions, regiments, or otherwise, for their own protection against domestic violence, insurrection, invasion, or rebellion.

Loyal citizens of States in rebellion, appropriation to supply with arms.

APPROVED, July 31, 1861.

CHAP. XXIX.—*An Act making an Appropriation for the Purchase of Arms for the Volunteers and Regular Troops of the United States.*

July 31, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten millions of dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the President of the United States, for the purchase of arms for the use of the volunteers and regular troops of the United States.

Purchase of arms, appropriation for.

APPROVED, July 31, 1861.

CHAP. XXX.—*An Act providing a Commission to examine and report as to the Compensation of all Officers of the Government, and for other Purposes.*

July 31, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of scaling, equalizing, and reducing the compensation of the various officers of the Government, a Board of Commissioners is hereby organized, to be composed as follows: Of two members of the Senate, to be appointed by the presiding officer of the Senate; three members of the House of Representatives, to be appointed by the Speaker of the House; one officer of the navy and one officer of the army, to be appointed by the President. That said Board shall examine and report, as soon as practicable: First, a fair and just compensation for each officer of the Government; second, such provisions of law as will regulate the expenditure of all indefinite and contingent appropriations, including those for the courts of the United States; third, regulations for the more economical collection of the revenue; fourth, what officers or employments, if any, may be dispensed with without detriment to the public service.

Board of Commissioners to equalize and reduce pay of officers of Government, appointment and duty of.

1862, ch. 52. Post, p. 316.

SEC. 2. *And be it further enacted,* That said commission have leave

May report to next session of Congress, and employ a clerk. to report by bill or bills, or otherwise, to each House at the next session of Congress, and have leave to employ a clerk, at a compensation not to exceed four dollars per day for the time actually needed.

APPROVED, July 31, 1861.

July 31, 1861.

CHAP. XXXI.—*An Act to increase the Medical Corps of the Navy.*

Medical corps of the Navy, increase of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the medical corps of the Navy shall consist of eighty surgeons, and one hundred and twenty passed and other assistant-surgeons.

APPROVED, July 31, 1861.

July 31, 1861.

1861, ch. 3, § 5. Ante, p. 257.

When the inhabitants, &c. of any State may be declared to be in a state of insurrection.

CHAP. XXXII.—*An Act in addition to an Act entitled "An Act further to provide for the Collection of Duties on Imports, and for other Purposes," approved July thirteenth, A. D. eighteen hundred and sixty-one.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the power of the President to declare the inhabitants of any State, or any part thereof, in a state of insurrection, as provided in the fifth section of the act to which this is an addition, shall extend to and include the inhabitants of any State, or part thereof, where such insurrection against the United States shall be found by the President at any time to exist.

APPROVED, July 31, 1861.

July 31, 1861.

CHAP. XXXIII.—*An Act to define and punish certain Conspiracies.*

Certain conspiracies defined.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if two or more persons within any State or Territory of the United States shall conspire together to overthrow, or to put down, or to destroy by force, the Government of the United States, or to levy war against the United States, or to oppose by force the authority of the Government of the United States; or by force to prevent, hinder, or delay the execution of any law of the United States; or by force to seize, take, or possess any property of the United States against the will or contrary to the authority of the United States; or by force, or intimidation, or threat to prevent any person from accepting or holding any office, or trust, or place of confidence, under the United States; each and every person so offending shall be guilty of a high crime, and upon conviction thereof in any district or circuit court of the United States, having jurisdiction thereof, or district or supreme court of any Territory of the United States having jurisdiction thereof, shall be punished by a fine not less than five hundred dollars and not more than five thousand dollars; or by imprisonment, with or without hard labor, as the court shall determine, for a period not less than six months nor greater than six years, or by both such fine and imprisonment.

How punished.

APPROVED, July 31, 1861.

July 31, 1861.

CHAP. XXXIV.—*An Act authorizing the Secretary of War to reimburse Volunteers for Expenses incurred in employing regimental and other Bands, and for other Purposes.*

Money paid for certain regimental bands to be refunded. Procl. No. 3. Post, p. 1258.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to refund, out of any money in the Treasury not otherwise appropriated, to the volunteers called out by the President's proclamation of the fifteenth April, one thousand eight hundred and sixty-one, such sums of money as may have been expended by the said volunteers in the employment of regimental or company bands during the period of their service under said proclamation: *Provided,* The

Proviso.

amount to be allowed shall not exceed that to be paid to volunteer bands regularly mustered into the service under the President's proclamation of May third, one thousand eight hundred and sixty-one.

Procl. No. 6. Post, p. 1260.

SEC. 2. *And be it further enacted*, That the President, in accepting and organizing volunteers under the act entitled "An Act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-two, eighteen hundred and sixty-one, may accept the service of such volunteers without previous proclamation, and in such numbers from any State or States as, in his discretion, the public service may require.

Volunteers under act 1861, ch. 9, how may be accepted by the President.

Ante, p. 269.

APPROVED, July 31, 1861.

CHAP. XXXV. — *An Act to increase the Consular Representation of the United States during the present Insurrection.*

August 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the President of the United States may, by and with the advice and consent of the Senate, appoint consuls at any foreign ports where he shall deem it advisable, for the purpose of preventing piracy, with such compensation, not exceeding fifteen hundred dollars per annum, as he shall think proper; to hold their offices, respectively, during the pleasure of the President, and in every case such compensation to cease with the restoration of internal peace within the United States. And the President may, during the present insurrection, increase the compensation of any consuls in foreign ports, if he shall deem it necessary, so as not, however, to exceed the sum of fifteen hundred dollars in any case. But this power shall cease with the re-establishment of internal peace as aforesaid.

1862, ch. 17, § 1. Post, p. 336.

Consuls may be appointed for certain foreign ports.

Salary.

Pay of certain consuls may be increased.

Power, when to cease.

APPROVED, August 2, 1861.

CHAP. XXXVI. — *An Act to amend an Act entitled "An Act supplementary to the Act entitled 'An Act providing for a Naval Peace Establishment and for other Purposes,' passed March twenty-seventh, eighteen hundred and four."*

August 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the above entitled act be, and the same is hereby, amended by inserting after the word "captain," where the same first occurs in said act, the words "or commander," so that the President shall be authorized to select the superintendents of the several navy yards and heads of bureaus from the captains or commanders of the navy of the United States.

1804, ch. 53.

Vol. ii. p. 297.

1801, ch. 20.

Vol. ii. p. 110.

Superintendents of navy yards and heads of bureaus may be taken from captains or commanders.

APPROVED, August 2, 1861.

CHAP. XXXVII. — *An Act concerning the Attorney-General and the Attorneys and Marshals of the several Districts.*

August 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney-General of the United States be, and he is hereby, charged with the general superintendence and direction of the attorneys and marshals of all the districts in the United States and the Territories as to the manner of discharging their respective duties; and the said district-attorneys and marshals are hereby required to report to the Attorney-General an account of their official proceedings, and the state and condition of their respective offices, in such time and manner as the Attorney-General may direct.

1861, ch. 65.

Post, p. 327.

Attorney-General to have superintendence of district-attorneys and marshals.

SEC. 2. *And be it further enacted*, That the Attorney-General be, and he is hereby, empowered, whenever in his opinion the public interest may require it, to employ and retain (in the name of the United States) such attorneys and counsellors-at-law as he may think necessary to assist the district-attorneys in the discharge of their duties, and shall stipulate with such assistant counsel the amount of compensation.

Attorney-General may employ counsel to aid district-attorneys.

Compensation.

Additional clerks.

SEC. 3. *And be it further enacted*, That the Attorney-General shall have power to increase the clerical force of his office to discharge the increased duties of the same, occasioned by this act, by appointing additional clerks, not exceeding two, and may fix their compensation at an annual salary not exceeding fourteen hundred dollars each per annum.

APPROVED, August 2, 1861.

August 3, 1861.

CHAP. XXXVIII. — *An Act to provide for the Construction of one or more armored Ships and Floating Batteries, and for other Purposes.*

Iron or steel-clad steamers may be built.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to appoint a board of three skillful naval officers to investigate the plans and specifications that may be submitted for the construction or completing of iron or steel-clad steamships or steam-batteries, and on their report, should it be favorable, the Secretary of the Navy will cause one or more armored or iron or steel-clad steamships or floating steam-batteries to be built; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of one million five hundred thousand dollars.

Appropriation.

Engineer-in-chief to be from the chief engineers

SEC. 2. *And be it further enacted*, That in case of a vacancy in the office of engineer-in-chief of the navy the appointment thereto shall be made from the list of chief engineers.

APPROVED, August 3, 1861.

August 3, 1861.

CHAP. XXXIX. — *An Act to amend "An Act to prohibit the sale of Spirituous Liquors and Intoxicating Drinks in the District of Columbia, in certain Cases."*

1861, ch. 44.
Post, p. 291.
Penalty for selling intoxicating liquors in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any person shall be convicted of the offence described in the act entitled "An Act to prohibit the sale of spirituous liquors and intoxicating drinks, in the District of Columbia, in certain cases," he shall be punished by a fine of twenty dollars or imprisonment in the jail of Washington county, in the District of Columbia, for the period of thirty days.

Post, p. 542.

APPROVED, August 3, 1861.

August 3, 1861.

CHAP. XL. — *An Act to provide for the Purchase of Arms, Ordnance, and Ordnance Stores.*

Purchase, &c., of arms, ordnance, and ordnance stores.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten millions of dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase and manufacture of arms, ordnance, and ordnance stores.

APPROVED, August 3, 1861.

August 3, 1861.

CHAP. XLI. — *An Act to suspend in part the Operation of an Act entitled "An Act relating to Revenue Cutters and Steamers."*

1845, ch. 78.
Vol. v. p. 795.

Appropriation for collection of the revenue may be applied to charter or purchase of vessels for revenue service.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act of third March, eighteen hundred and forty-five, entitled "An Act relating to revenue cutters and steamers," be and the same is so far suspended as to allow the Secretary of the Treasury to apply so much of the appropriation for the collection of the revenue as he may deem expedient to the charter or purchase of vessels for the revenue service: *Provided*, That no liability shall be incurred for the purposes herein named, which, together with the expenses of collecting the revenue, shall exceed the appropriation already made for the latter object.

APPROVED, August 3, 1861.

CHAP. XLII. — *An Act providing for the better Organization of the Military Establishment.* August 3, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, an officer in the War Department, to be called the Assistant Secretary of War, whose salary shall be three thousand dollars per annum, payable in the same manner as that of the Secretary of War, who shall perform all such duties in the office of the Secretary of War, belonging to that department, as shall be prescribed by the Secretary of War, or as may be required by law.

Assistant-Secretary of war.
Salary.
Duties.

SEC. 2. *And be it further enacted,* That the President be, and is hereby, authorized to appoint, by and with the advice and consent of the Senate, in addition to the number authorized by existing laws and in accordance with existing regulations, five assistant inspector-generals, with the rank and pay of majors of cavalry, ten surgeons, and twenty assistant-surgeons, to have the pay, rank, and allowances, and perform the duties of similar officers in the present military establishment. That hereafter the Adjutant-General's department shall consist of the following officers, namely: One adjutant-general, with the rank, pay, and emoluments of a brigadier-general; one assistant adjutant-general, with the rank, pay, and emoluments of a colonel of cavalry; two assistant adjutant-generals, with the rank, pay, and emoluments each of a lieutenant-colonel of cavalry; four assistant adjutant-generals, with the rank, pay, and emoluments each of a major of cavalry; and twelve assistant adjutant-generals, with the rank, pay, and emoluments each of a captain of cavalry; and that there shall be added to the subsistence department four commissaries of subsistence, each with the rank, pay, and emoluments of a major of cavalry; and eight commissaries of subsistence, with the rank, pay, and emoluments each of a captain of cavalry, and to be taken from the line of the army, either of the volunteers or regular army.

Additional assistant inspector-generals, surgeons, and assistant-surgeons.
Adjutant-general's department, of whom to consist.
Subsistence department.

SEC. 3. *And be it further enacted,* That there shall be added to each of the corps of engineers and topographical engineers three first and three second lieutenants, to be promoted thereto in accordance with the existing laws and regulations. And there shall be added to the quartermaster's department one colonel, two lieutenant-colonels, four majors, and twenty captains, with the rank, pay, and allowances of officers of cavalry; and whenever any army captain of the quartermaster's department shall have served fourteen years' continuous service he shall be promoted to the rank of major; and that there shall be added to the quartermaster's department as many master wagoners, with the rank, pay, and allowances of sergeants of cavalry, and as many wagoners, with the pay and allowances of corporals of cavalry, as the military service, in the judgment of the President, may render necessary. And there shall be added to the ordnance department of the United States army, as now organized, one chief of ordnance, with the rank, pay, and emoluments of the quartermaster-general of the army; one colonel, one lieutenant-colonel, and six second lieutenants; the field officers to be appointed by selection from the officers of the army, and the second lieutenants from the graduates of the United States Military Academy, by transfers from the engineers, or the topographical engineers, or the artillery.

Engineers and topographical engineers.
Quartermaster's department.
Rule as to promotions.
Master wagoners, &c.
Ordnance department, increase of.
Appointments.

SEC. 4. *And be it further enacted,* That there shall be added to the corps of engineers three companies of engineer soldiers, to be commanded by appropriate officers of said corps, to have the same pay and rations, clothing, and other allowances, and be entitled to the same benefits, in every respect, as the company created by the act for the organization of a company of sappers and miners and pontoniers, approved May sixteen, eighteen hundred and forty-six. The said three companies shall be subject to the rules and articles of war; shall be recruited in the same manner and

Engineer soldiers.
Pay, &c.
1846, ch. 21, Vol. ix. p. 12.

- with the same limitations; shall be instructed in and perform the same duties, and be liable to serve in the same way, and shall have their vehicles, pontons, tools, implements, arms, and other supplies, regulated in the same manner as the existing engineer company; and each of the four companies of engineer soldiers shall hereafter be composed of ten sergeants, ten corporals, two musicians, sixty-four privates of the first class, or artificers, and sixty-four privates of the second class, in all one hundred and fifty men each.
- How composed.** SEC. 5. *And be it further enacted*, That there be added to the medical staff of the army a corps of medical cadets, whose duty it shall be to act as dressers in the general hospitals and as ambulance attendants in the field, under the direction and control of the medical officers alone. They shall have the same rank and pay as the military cadets at West Point. Their number shall be regulated by the exigencies of service, at no time to exceed fifty. It shall be composed of young men of liberal education, students of medicine, between the ages of eighteen and twenty-three, who have been reading medicine for two years, and have attended at least one course of lectures in a medical college. They shall enlist for one year, and be subject to the rules and articles of war. On the fifteenth day of the last month of their service, the near approach of their discharge shall be reported to the surgeon-general, in order, if desired, that they may be relieved by another detail of applicants.
- Medical cadets added to medical staff.**
- Rank, pay, number, qualifications, &c.**
- Female nurses.** SEC. 6. *And be it further enacted*, That in general or permanent hospitals female nurses may be substituted for soldiers, when, in the opinion of the surgeon-general or medical officer in charge, it is expedient to do so; the number of female nurses to be indicated by the surgeon-general or surgeon in charge of the hospital. The nurses so employed to receive forty cents a day and one ration in kind, or by commutation, in lieu of all emoluments except transportation in kind.
- Chaplains.** SEC. 7. *And be it further enacted*, That one chaplain shall be allowed to each regiment of the army, to be selected and appointed as the President may direct: *Provided*, That none but regularly ordained ministers of some Christian denomination shall be eligible to selection or appointment.
- Ante*, p. 270.
Proviso.
Post, p. 595.
- Cadets reported deficient not to be reappointed.** SEC. 8. *And be it further enacted*, That no cadet, who has been or shall hereafter be reported as deficient, either in conduct or studies, and recommended to be discharged from the academy, shall be returned or reappointed, or appointed to any place in the army before his class shall have left the academy and received their commissions, unless upon the recommendation of the academic board of the academy: *Provided*, That all cadets now in the service, or hereafter entering the Military Academy at West Point, shall be called on to take and subscribe the following oath: "I, A. B., do solemnly swear that I will support the Constitution of the United States, and bear true allegiance to the National Government; that I will maintain and defend the sovereignty of the United States paramount to any and all allegiance, sovereignty, or fealty I may owe to any State, county, or country whatsoever; and that I will at all times obey the legal orders of my superior officers and the rules and articles governing the armies of the United States." And any cadet or candidate for admission who shall refuse to take this oath shall be dismissed from the service.
- All cadets to take the oath.**
- Form of Oath.**
- Effect of refusal to take oath.**
- Certain extra pay, bounty and premium abolished.** SEC. 9. *And be it further enacted*, That the three months' extra pay allowed by the twenty-ninth section of the act of the fifth of July, eighteen hundred and thirty-eight, for re-enlistments under certain conditions, the bounty granted by the third section of the act of the seventeenth of June, eighteen hundred and fifty, for enlistments at remote and distant stations, and the premium now paid for bringing accepted recruits to the rendezvous, be and they are hereby abolished.
- 1838, ch. 162, § 29.*
Vol. v. p. 260.
1850, ch. 20, § 3.
Vol. ix. p. 439.
Post, p. 620.
- SEC. 10. *And be it further enacted*, That hereafter two dollars per

month shall be retained out of the monthly pay of each enlisted man in the regular army until the expiration of his term of service, instead of one dollar per month, as authorized by existing laws.

\$2 a month to be retained out of pay.

[Repealed, Post, p. 595.]

SEC. 11. *And be it further enacted,* That in all cases of enlistment and re-enlistment in the military service of the United States the prescribed oath of allegiance may be administered by any commissioned officer of the army.

Who may administer oath of allegiance to soldiers.

SEC. 12. *And be it further enacted,* That the two regiments of dragoons, the regiment of mounted riflemen, and the two regiments of cavalry, shall hereafter be known and recognized as the first, second, third, fourth, and fifth regiments of cavalry, respectively; the officers thereof to retain their present relative rank, and to be promoted as of one arm of service, according to existing law and established usage and regulation.

Dragoons, mounted riflemen, and cavalry, to be known as cavalry.

Present officers to retain their rank.

SEC. 13. *And be it further enacted,* That the army ration shall be increased as follows, viz.: Twenty-two ounces of bread or flour, or one pound of hard bread, instead of the present issue; fresh beef shall be issued as often as the commanding-officer of any detachment or regiment shall require it, when practicable, in place of salt meat; beans and rice or hominy shall be issued in the same ration in the proportions now provided by the regulation, and one pound of potatoes per man shall be issued at least three times a week, if practicable; and when these articles cannot be issued in these proportions, an equivalent in value shall be issued in some other proper food, and a ration of tea may be substituted for a ration of coffee upon the requisition of the proper officer: *Provided,* That after the present insurrection shall cease, the ration shall be as provided by law and regulations on the first day of July, eighteen hundred and sixty-one.

Army ration, increase of.

Provido.

SEC. 14. *And be it further enacted,* That there may be allowed in hospitals, to be provided under such rules as the surgeon-general of the army, with the approval of the Secretary of War, may prescribe, such quantities of fresh or preserved fruits, milk or butter, and of eggs, as may be necessary for the proper diet of the sick.

Allowance to hospitals.

SEC. 15. *And be it further enacted,* That any commissioned officer of the army, or of the marine corps, who shall have served as such for forty consecutive years, may, upon his own application to the President of the United States, be placed upon the list of retired officers, with the pay and emoluments allowed by this act.

Certain commissioned officers of the army and marine corps may be retired, at their request.

SEC. 16. *And be it further enacted,* That if any commissioned officer of the army, or of the marine corps, shall have become, or shall hereafter become, incapable of performing the duties of his office, he shall be placed upon the retired list and withdrawn from active service and command and from the line of promotion, with the following pay and emoluments, namely: the pay proper of the highest rank held by him at the time of his retirement, whether by staff or regimental commission, and four rations per day, and without any other pay, emoluments, or allowances; and the next officer in rank shall be promoted to the place of the retired officer, according to the established rules of the service. And the same rule of promotion shall be applied successively to the vacancies consequent upon the retirement of an officer: *Provided,* That should the brevet lieutenant-general be retired under this act, it shall be without reduction in his current pay, subsistence, or allowances: *And provided further,* That there shall not be on the retired list at any one time more than seven per centum of the whole number of officers of the army, as fixed by law.

Commissioned officers of the army and marine corps, if incapacitated, to be retired.

Pay.

Promotions.

Provido.

Brevet Lieutenant-General.

Limit of retired list.

SEC. 17. *And be it further enacted,* That, in order to carry out the provisions of this act, the Secretary of War, or Secretary of the Navy, as the case may be, under the direction and approval of the President of the United States, shall, from time to time, as occasion may require, assemble a board of not more than nine, nor less than five commissioned officers, two-fifths of whom shall be of the medical staff; the board, ex-

Secretary of War or Navy may assemble a board to determine the disabilities of officers.

Board, how composed, duties, report.

cept those taken from the medical staff, to be composed, as far as may be, of his seniors in rank, to determine the facts as to the nature and occasion of the disability of such officers as appear disabled to perform such military service, such board being hereby invested with the powers of a court of inquiry and court-martial, and their decision shall be subject to like revision as that of such courts by the President of the United States. The board, whenever it finds an officer incapacitated for active service, will report whether, in its judgment, the said incapacity result from long and faithful service, from wounds or injury received in the line of duty, from sickness or exposure therein, or from any other incident of service. If so, and the President approve such judgment, the disabled officer shall thereupon be placed upon the list of retired officers, according to the provisions of this act. If otherwise, and if the President concur in opinion with the board, the officer shall be retired as above, either with his pay proper alone, or with his service rations alone, at the discretion of the President, or he shall be wholly retired from the service, with one year's pay and allowances; and in this last case his name shall be thenceforward omitted from the army register, or navy register, as the case may be: *Provided always*, That the members of the board shall in every case be sworn to an honest and impartial discharge of their duties, and that no officer of the army shall be retired either partially or wholly from the service without having had a fair and full hearing before the board, if, upon due summons, he shall demand it.

Effect of decision when approved.

Members of board to be sworn.

Army officers to have a hearing.

Officers partially retired.

SEC. 18. *And be it further enacted*, That the officers partially retired shall be entitled to wear the uniform of their respective grades, shall continue to be borne upon the army register, or navy register, as the case may be, and shall be subject to the rules and articles of war, and to trial by general court-martial for any breach of the said articles.

Act allowing certain double rations repealed. 1842, ch. 186, § 6. Vol. v. p. 513.

Army officers absent from duty over six months, not to have certain allowances.

SEC. 19. *And be it further enacted*, That so much of the sixth section of the act of August twenty-three, eighteen hundred and forty-two, as allows additional or double rations to the commandant of each permanent or fixed post garrisoned with troops, be and the same is hereby repealed.

Certain navy officers may be retired at their request.

Pay, &c.

SEC. 20. *And be it further enacted*, That officers of the army, when absent from their appropriate duties for a period exceeding six months, either with or without leave, shall not receive the allowances authorized by the existing laws for servants, forage, transportation of baggage, fuel, and quarters, either in kind or in commutation.

Retired list for navy officers.

Pay, &c.

SEC. 21. *And be it further enacted*, That any officer of the navy who has been forty years in the service of the United States may, upon his own application to the President of the United States, be placed upon the list of retired officers of the navy, and shall receive the pay and emoluments allowed by this act.

SEC. 22. *And be it further enacted*, That if any officer of the navy shall have become, or shall hereafter become, incapable of performing the duties of his office, he shall be placed upon the retired list and withdrawn from active service and command and from the line of promotion, with the following pay and emoluments, namely:

- Captains in the navy, thirteen hundred dollars;
- Commanders in the navy, eleven hundred dollars;
- Lieutenants in the navy, one thousand dollars;
- Surgeons ranking with captains, thirteen hundred dollars;
- Surgeons ranking with commanders, eleven hundred dollars;
- Surgeons ranking with lieutenants, one thousand dollars;
- Paymasters ranking with captains, thirteen hundred dollars;
- Paymasters ranking with commanders, eleven hundred dollars;
- Paymasters ranking with lieutenants, one thousand dollars;
- Chief engineers, one thousand dollars;
- First assistant engineers, seven hundred dollars;
- Second assistant engineers, five hundred dollars;

Third assistant engineers, four hundred dollars ;
Masters, four hundred dollars ;

Passed midshipmen, three hundred and fifty dollars ; and with four rations per day to each of the above-named officers of the navy, to be commuted at thirty cents, each ration, and without any other pay or allowances. Captains, commanders, and lieutenants now on the retired list of the navy shall receive the same compensation and no greater than is allowed to retired officers of the same rank by the provisions of this act. The next officer in rank shall be promoted to the place of the retired officer, according to the established rules of the service. And the same rule of promotion shall be applied successively to the vacancies consequent upon the retirement of an officer.

Rations.
Commutation.
Promotions.

SEC. 23. *And be it further enacted*, That whenever any officer of the navy, on being ordered to perform the duties appropriate to his commission, shall report himself unable to comply with such order, or whenever, in the judgment of the President of the United States, an officer of the navy shall be in any way incapacitated from performing the duties of his office, the President, at his discretion, shall direct the Secretary of the Navy to refer the case of such officer to a board of not more than nine, and not less than five, commissioned officers, two-fifths of whom shall be members of the medical bureau of the navy ; the board, except those taken from the medical bureau, to be composed, if possible, (as far as may be,) of his seniors in rank. The determination of the board in each case shall, with a record of its proceedings, be transmitted to the Secretary of the Navy, to be laid before the President for his approval or disapproval, and orders in the case. The board, whenever it finds an officer incapacitated for active service, will report whether, in its judgment, the incapacity result from long and faithful service, from wounds or injury received in the line of duty, from sickness or exposure therein, or from any other incident of service ; if so, and the President approve of such judgment, the disabled officer shall thereupon be placed upon the list of retired officers, according to the provisions of this act. But if such disability or incompetency proceeded from other causes, and the President concur in opinion with the board, the officer may be retired upon furlough pay, or he shall be wholly retired from the service, with one year's pay, at the discretion of the President ; and in this last case his name shall be wholly omitted from the navy register. The members of the board shall, in every case, be sworn to an honest and impartial discharge of their duties, and no officer of the navy shall be retired, either partially or wholly, from the service without having had a fair and full hearing before the board, if he shall demand it.

Board to decide the incapacity of navy officers.
How composed ; duty.
Report.
Effect of decision when approved.
Members to be sworn.
Officers may be heard.

SEC. 24. *And be it further enacted*, That the retired officers shall be entitled to wear the uniform of their respective grades, shall continue to be borne upon the navy register, shall be subject to the rules and articles governing the navy, and to trial by general court-martial.

SEC. 25. *And be it further enacted*, That retired officers of the army, navy, and marine corps may be assigned to such duties as the President may deem them capable of performing, and such as the exigencies of the public service may require.

Privileges and liabilities of retired officers.
Duty may be assigned retired officers.

APPROVED, August 3, 1861.

CHAP. XLIV. — *An Act to prohibit the Sale of Spirituous Liquors and Intoxicating Drinks in the District of Columbia, in certain Cases.*

August 5, 1861.
1862, ch. 168.
Post, p. 571.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall not be lawful for any person in the District of Columbia to sell, give, or administer to any soldier or volunteer in the service of the United States, or any person wearing the uniform of such soldier or volunteer, any spirituous liquor or

Sale of spirituous liquors, &c., in District of Columbia, to soldiers, forbidden.

1861, ch. 39.
Ante, p. 286.
Post, p. 542.
 Penalty.

intoxicating drink ; and every person offending against the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, before a magistrate or court having criminal jurisdiction, shall be punished by a fine of twenty-five dollars or imprisonment for thirty days.

APPROVED, August 5, 1861.

August 5, 1861. CHAP. XLV.—*An Act to provide increased Revenue from Imports, to pay Interest on the Public Debt, and for other Purposes.*

1862, ch. 163.
Post, p. 543.

Specific duties
 on certain im-
 ports.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the date of the passage of this act, in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied, collected, and paid, on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say: First, On raw sugar, commonly called muscovado or brown sugar, and on sugars not advanced above number twelve, Dutch standard, by claying, boiling, clarifying, or other process, and on sirup of sugar or of sugar-cane and concentrated molasses, or concentrated melado, two cents per pound ; and on white and clayed sugar, when advanced beyond the raw state, above number twelve, Dutch standard, by clarifying or other process, and not yet refined, two and a half cents per pound ; on refined sugars, whether loaf, lump, crushed, or pulverized, four cents per pound ; on sugars after being refined, when they are tintured, colored, or in any way adulterated, and on sugar-candy, six cents per pound ; on molasses, five cents per gallon :

Sugar.

Sirups of sugar,
 &c., entered as
 molasses, to be
 forfeited.

Teas.
 Almonds, &c.

Provided, That all sirups of sugar or of sugar-cane, concentrated molasses or melado, entered under the name of molasses, or any other name than sirup of sugar or of sugar-cane, concentrated molasses, or concentrated melado, shall be liable to forfeiture to the United States. On all teas, fifteen cents per pound ; on almonds, four cents per pound ; shelled almonds, six cents per pound ; on brimstone, crude, three dollars per ton ; on brimstone, in rolls, six dollars per ton ; on coffee, of all kinds, four cents per pound ; on cocoa, three cents per pound ; on cocoa leaves and cocoa shells, two cents per pound ; on cocoa, prepared or manufactured, eight cents per pound ; on chicory root, one cent per pound ; and on chicory ground, two cents per pound ; on chocolate, six cents per pound ; on cassia, ten cents per pound ; on cassia buds, fifteen cents per pound ; on cinnamon, twenty cents per pound ; on cloves, eight cents per pound ; on cayenne pepper, six cents per pound ; on cayenne pepper, ground, eight cents per pound ; on currants, five cents per pound ; on argol, three cents per pound ; on cream tartar, six cents per pound ; on tartaric acid, tartar emetic, and rochelle salts, ten cents per pound ; on dates, two cents per pound ; on figs, five cents per pound ; on ginger root, three cents per pound ; on ginger, ground, five cents per pound ; on liquorice paste and juice, five cents per pound ; liquorice root, one cent per pound ; on mace and nutmegs, twenty-five cents per pound ; on nuts of all kinds, not otherwise provided for, two cents per pound ; on pepper, six cents per pound ; on pimento, six cents per pound ; on plums, five cents per pound ; on prunes, five cents per pound ; on raisins, five cents per pound ; on unmanufactured Russia hemp, forty dollars per ton ; on Manilla and other hemsps of India, twenty-five dollars per ton ; on lead, in pigs or bars, one dollar and fifty cents per one hundred pounds ; in sheets, two dollars and twenty-five cents per one hundred pounds ; on white lead, dry or ground in oil, and red lead, two dollars and twenty-five cents per one hundred pounds ; on salt, in sacks, eighteen cents per one hundred pounds, and in bulk, twelve cents per one hundred pounds ; on soda ash, one-half cent per pound ; on bicarbonate of soda, one cent per pound ; on sal soda, one-half cent per pound ; on caustic soda, one cent per pound ; on chloride of

lime, thirty cents per one hundred pounds; on saltpetre, crude, one cent per pound: refined, or partially refined, two cents per pound; spirits of turpentine, ten cents per gallon; on oil of cloves, seventy cents per pound; on brandy, one dollar and twenty-five cents per gallon; on spirits distilled from grain, or other materials, fifty cents per gallon; on gum copal, and other gums or resinous substances used for the same or similar purposes as gum copal, ten cents per pound.

SEC. 2. *And be it further enacted*, That, from and after the day and year aforesaid, there shall be levied, collected, and paid, on the importation of the articles hereinafter mentioned, the following duties, that is to say: On arrow-root, twenty per centum ad valorem; on ginger, preserved or pickled, thirty per centum ad valorem; on limes, lemons, oranges, bananas, and plantains, twenty per centum ad valorem; on Peruvian bark, fifteen per centum ad valorem; on quinine, thirty per centum ad valorem; on rags, of whatever material, ten per centum ad valorem; on gunpowder, thirty per centum ad valorem; on feathers and downs, thirty per centum ad valorem; on hides, ten per centum ad valorem; on sole and bend leather, thirty per centum ad valorem; on I[n]dia rubber, raw or unmanufactured, ten per centum ad valorem; on I[n]dia-rubber shoes and boots, thirty per centum ad valorem; on ivory, unmanufactured, and on vegetable ivory, ten per centum ad valorem; on wines of all kinds, fifty per centum ad valorem; on silk in the gum, not more advanced in the manufacture than single tram and thrown or organzine, twenty-five per centum ad valorem; on all silks valued at not over one dollar per square yard, thirty per centum ad valorem; on all silks valued over one dollar per square yard, forty per centum ad valorem; on all silk velvets or velvets of which silk is the component material of chief value, valued at three dollars per square yard, or under, thirty per centum ad valorem; valued at over three dollars per square yard, forty per centum ad valorem; on floss silks, thirty per centum ad valorem; on silk ribbons, galloons, braids, fringes, laces, tassels, buttons, button-cloths, trimmings, and on silk twist, twist composed of mohair and silk, sewing silk in gum or purified, and all other manufactures of silk, or of which silk shall be the component material of chief value, not otherwise provided for, forty per centum ad valorem.

Ad valorem duties on certain imports.

SEC. 3. *And be it further enacted*, That all articles, goods, wares, and merchandise, imported from beyond the Cape of Good Hope in foreign vessels, not entitled by reciprocal treaties to be exempt from discriminating duties, tonnage, and other charges, and all other articles, goods, wares, and merchandise not imported direct from the place of their growth or production, or in foreign vessels, entitled by reciprocal treaties to be exempt from discriminating duties, tonnage, and other charges, shall be subject to pay, in addition to the duties imposed by this act, ten per centum ad valorem: *Provided*, That this rule shall not apply to goods, wares, and merchandise imported from beyond the Cape of Good Hope in American vessels.

Certain articles imported in foreign vessels to pay certain additional duty.

Proviso.

SEC. 4. *And be it further enacted*, That, from and after the passage of this act, there shall be allowed, on all articles wholly manufactured of materials imported, on which duties have been paid when exported, a drawback, equal in amount to the duty paid on such materials and no more, to be ascertained under such regulations as shall be prescribed by the Secretary of the Treasury: *Provided*, That ten per centum on the amount of all drawbacks, so allowed, shall be retained for the use of the United States by the collectors paying such drawbacks, respectively.

Drawback on certain articles. Rules.

10 per cent. to be retained.

SEC. 5. *And be it further enacted*, That all goods, wares, and merchandise, actually on shipboard and bound to the United States, and all goods, wares, and merchandise, on deposit in warehouses or public stores at the date of the passage of this act, shall be subject to pay such duties as provided by law before and at the time of the passage of this act: *Provided*,

Certain goods on shipboard and all goods in warehouses, &c., to pay former rate of duties.

Duties on bonded goods to be paid in three months, if, &c.

Proviso.

Further proviso.

[Repealed, 1862, ch. 163, § 21. Post, p. 560.

Amendments of act 1861, ch. 68, §§ 6, 7, 12, 13, 14, 15, 19, 22, 23. Ante, p. 178.

That all goods deposited in public store or bonded warehouse after this act takes effect and goes into operation, if designed for consumption in the United States, must be withdrawn therefrom, or the duties thereon paid in three months after the same are deposited, and goods designed for exportation and consumption in foreign countries may be withdrawn by the owner at any time before the expiration of three years after the same are deposited, such goods, if not withdrawn in three years, to be regarded as abandoned to the government, and sold under such regulations as the Secretary of the Treasury may prescribe, and the proceeds paid into the Treasury: *Provided*, That merchandise upon which the owner may have neglected to pay duties within three months from the time of its deposit may be withdrawn and entered for consumption at any time within two years of the time of its deposit upon the payment of the legal duties, with an addition of twenty-five per centum thereto: *Provided, also*, That merchandise upon which duties have been paid, if exported to a foreign country, within three years, shall be entitled to return duties, proper evidence of such merchandise having been landed abroad to be furnished to the collector by the importer, one per centum of said duties to be retained by the government.

SEC. 6. *And be it further enacted*, That the act entitled "An Act to provide for the payment of outstanding treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes," approved March two, eighteen hundred and sixty-one, be, and the same is hereby amended, as follows—that is to say, First, in section six, article first, after the words "in cordials and," strike out "liquors," and insert "liqueurs;" Second, in the same section, after the word "represent," insert "*Provided, also*, That no lower rate or amount of duty shall be levied, collected, and paid on brandy, spirits, and all other spirituous beverages, than that now fixed by law for the description of first proof, but shall be increased in proportion for any greater strength than the strength of first proof;" Third, in section seven, clause fifth, the words "on screws, washed or plated, and all other screws, of iron or any other metal," shall be stricken out, and the words "on screws, of any other metal than iron," shall be inserted; Fourth, section twelve, article first, after the words "eighteen cents," where they first occur, insert "or less;" Fifth, section thirteen, article second, after the word "manufacturer," insert "except hosiery;" Sixth, in the same section, article third, strike out "wool," wherever it occurs, and insert in each place "worsted;" Seventh, in section fourteen, article first, after the words "ten per centum," insert "ad valorem;" Eighth, in section fifteen, before the word "yarns" insert "hemp;" in the same section, after the word "sheetings," insert "of flax or hemp;" and strike out "jute goods," and in lieu thereof insert "jute yarns;" Ninth, in section twenty-two, strike out the words "unwrought clay, three dollars per ton;" Tenth, in section nineteen, strike out "compositions of glass or paste, not set, intended for use by jewellers;" Eleventh, in section twenty-two, strike out "compositions of glass or paste, when set;" Twelfth, in section twenty-three, article sheathing metal, strike out "yard" and insert "foot."

SEC. 7. *And be it further enacted*, That all acts and parts of acts repugnant to the provisions of this act be, and the same are hereby, repealed; *Provided*, That the existing laws shall extend to, and be in force for, the collection of the duties imposed by this act, for the prosecution and punishment of all offences, and for the recovery, collection, distribution, and remission of all fines, penalties, and forfeitures, as fully and effectually as if every regulation, penalty, forfeiture, provision, clause, matter, and thing to that effect in the existing laws contained, had been inserted in and re-enacted by this act.

SEC. 8. *And be it further enacted*, That a direct tax of twenty millions of dollars be and is hereby annually laid upon the United States, and the

Repealing clause.

Saving as to laws for collection, &c.

Direct tax of \$20,000,000, how apportioned.

same shall be and is hereby apportioned to the States, respectively, in manner following: 1862. ch. 98.
Post, p. 422.

To the State of Maine, four hundred and twenty thousand eight hundred and twenty-six dollars. 1862, ch. 119,
Post, p. 489.
Maine.

To the State of New Hampshire, two hundred and eighteen thousand four hundred and six and two-third dollars. New Hampshire.

To the State of Vermont, two hundred and eleven thousand and sixty-eight dollars. Vermont.

To the State of Massachusetts, eight hundred and twenty-four thousand five hundred and eighty-one and one-third dollars. Massachusetts.

To the State of Rhode Island, one hundred and sixteen thousand nine hundred and sixty-three and two-third dollars. Rhode Island.

To the State of Connecticut, three hundred and eight thousand two hundred and fourteen dollars. Connecticut.

To the State of New York, two million six hundred and three thousand nine hundred and eighteen and two-third dollars. New York.

To the State of New Jersey, four hundred and fifty thousand one hundred and thirty-four dollars. New Jersey.

To the State of Pennsylvania, one million nine hundred and forty-six thousand seven hundred nineteen and one-third dollars. Pennsylvania.

To the State of Delaware, seventy-four thousand six hundred and eighty-three and one-third dollars. Delaware.

To the State of Maryland, four hundred and thirty-six thousand eight hundred and twenty-three and one-third dollars. Maryland.

To the State of Virginia, nine hundred and thirty-seven thousand five hundred and fifty and two-third dollars. Virginia.

To the State of North Carolina, five hundred and seventy-six thousand one hundred and ninety-four and two-third dollars. North Carolina.

To the State of South Carolina, three hundred and sixty-three thousand five hundred and seventy and two-third dollars. South Carolina.

To the State of Georgia, five hundred and eighty-four thousand three hundred and sixty-seven and one-third dollars. Georgia.

To the State of Alabama, five hundred and twenty-nine thousand three hundred and thirteen and one-third dollars. Alabama.

To the State of Mississippi, four hundred and thirteen thousand eighty-four and two-third dollars. Mississippi.

To the State of Louisiana, three hundred and eighty-five thousand eight hundred and eighty-six and two-third dollars. Louisiana.

To the State of Ohio, one million five hundred and sixty-seven thousand eighty-nine and one-third dollars. Ohio.

To the State of Kentucky, seven hundred and thirteen thousand six hundred and ninety-five and one-third dollars. Kentucky.

To the State of Tennessee, six hundred and sixty-nine thousand four hundred and ninety-eight dollars. Tennessee.

To the State of Indiana, nine hundred and four thousand eight hundred and seventy-five and one-third dollars. Indiana.

To the State of Illinois, one million one hundred and forty-six thousand five hundred and fifty-one and one-third dollars. Illinois.

To the State of Missouri, seven hundred and sixty-one thousand one hundred and twenty-seven and one-third dollars. Missouri.
Post, p. 600.

To the State of Kansas, seventy-one thousand seven hundred and forty-three and one-third dollars. Kansas.

To the State of Arkansas, two hundred and sixty-one thousand eight hundred and eighty-six dollars. Arkansas.

To the State of Michigan, five hundred and one thousand seven hundred and sixty-three and one-third dollars. Michigan.

To the State of Florida, seventy-seven thousand five hundred and twenty-two and two-third dollars. Florida.

Texas.	To the State of Texas, three hundred and fifty-five thousand one hundred and six and two-third dollars.
Iowa.	To the State of Iowa, four hundred and fifty-two thousand and eighty-eight dollars.
Wisconsin.	To the State of Wisconsin, five hundred and nineteen thousand six hundred and eighty-eight and two-third dollars.
California.	To the State of California, two hundred and fifty-four thousand five hundred and thirty-eight and two-third dollars.
Minnesota.	To the State of Minnesota, one hundred and eight thousand five hundred and twenty-four dollars.
Oregon.	To the State of Oregon, thirty-five thousand one hundred and forty and two-third dollars.
New Mexico. Post, p. 489.	To the Territory of New Mexico, sixty-two thousand six hundred and forty-eight dollars.
Utah.	To the Territory of Utah, twenty-six thousand nine hundred and eighty-two dollars.
Washington.	To the Territory of Washington, seven thousand seven hundred and fifty-five and one-third dollars.
Nebraska.	To the Territory of Nebraska, nineteen thousand three hundred and twelve dollars.
Nevada.	To the Territory of Nevada, four thousand five hundred and ninety-two and two-third dollars.
Colorado.	To the Territory of Colorado, twenty-two thousand nine hundred and five and one-third dollars.
Dakota.	To the Territory of Dakota, three thousand two hundred and forty-one and one-third dollars.
District of Columbia.	To the District of Columbia, forty-nine thousand four hundred and thirty-seven and one-third dollars.

Collection districts for assessing and collecting the tax.

Assessors and collectors.

Proviso.

Assessors and collectors not to be appointed before, &c.

Collectors to give bond before entering upon duty.

Amount, and sureties, &c.

Collection district to be divided into assessment districts.

Assistant assessors.

SEC. 9. *And be it further enacted*, That, for the purpose of assessing the above tax and collecting the same, the President of the United States be, and he is hereby authorized, to divide, respectively, the States and Territories of the United States and the District of Columbia into convenient collection districts, and to nominate and, by and with the advice of the Senate, to appoint an assessor and a collector for each such district, who shall be freeholders and resident within the same: *Provided*, That any of said States and Territories, as well as the District of Columbia, may, if the President shall deem it proper, be erected into one district: *And, provided further*, That the appointment of said assessors and collectors, or any of them, shall not be made until on or after the second Tuesday in February, one thousand eight hundred and sixty-two.

SEC. 10. *And be it further enacted*, That before any such collector shall enter upon the duties of his office he shall execute a bond for such amount as shall be prescribed by the Secretary of the Treasury, with sureties to be approved as sufficient by the Solicitor of the Treasury, containing the condition that said collector shall justly and faithfully account for to the United States, and pay over, in compliance with the order or regulations of the Secretary of the Treasury, all public moneys which may come into his hands or possession; which bond shall be filed in the office of the First Comptroller of the Treasury, to be by him directed to be put in suit upon any breach of the condition thereof. And such collectors shall, from time to time, renew, strengthen, and increase their official bonds, as the Secretary of the Treasury may direct.

SEC. 11. *And be it further enacted*, That each of the assessors shall divide his district into a convenient number of assessment districts, within each of which he shall appoint one respectable freeholder to be assistant assessor; and each assessor and assistant assessor so appointed, and accepting the appointment, shall, before he enters on the duties of his appointment, take and subscribe, before some competent magistrate, or some collector, to be appointed by this act, (who is hereby empowered to ad-

minister the same.) the following oath or affirmation, to wit: "I, A. B., do swear, or affirm, (as the case may be,) that I will, to the best of my knowledge, skill, and judgment, diligently and faithfully execute the office and duties of assessor for, (naming the assessment district,) without favor or partiality, and that I will do equal right and justice in every case in which I shall act as assessor." And a certificate of such oath or affirmation shall be delivered to the collector of the district for which such assessor or assistant assessor shall be appointed. And every assessor or assistant assessor acting in the said office without having taken the said oath or affirmation shall forfeit and pay one hundred dollars, one moiety thereof to the use of the United States, and the other moiety thereof to him who shall first sue for the same; to be recovered, with costs of suit, in any court having competent jurisdiction.

Oath.

Certificate.

Penalty for acting without oath.

SEC. 12. *And be it further enacted,* That the Secretary of the Treasury shall establish regulations suitable and necessary for carrying this act into effect; which regulations shall be binding on each assessor and his assistants in the performance of the duties enjoined by or under this act, and shall also frame instructions for the said assessors and their assistants; pursuant to which instructions the said assessors shall, on the first day of March next, direct and cause the several assistant assessors in the district to inquire after and concerning all lands, lots of ground, with their improvements, buildings, and dwelling-houses, made liable to taxation under this act by reference as well to any lists of assessment or collection taken under the laws of the respective States, as to any other records or documents, and by all other lawful ways and means, and to value and enumerate the said objects of taxation in the manner prescribed by this act, and in conformity with the regulations and instructions above mentioned.

Secretary of Treasury to establish regulations under this act, and frame instructions.

Assessors and assistants to follow them.

SEC. 13. *And be it further enacted,* That the said direct tax laid by this act shall be assessed and laid on the value of all lands and lots of ground, with their improvements and dwelling-houses, which several articles subject to taxation shall be enumerated and valued, by the respective assessors, at the rate each of them is worth in money on the first day of April, eighteen hundred and sixty-two: *Provided, however,* That all property, of whatever kind, coming within any of the foregoing descriptions, and belonging to the United States or any State, or permanently or specially exempted from taxation by the laws of the State wherein the same may be situated at the time of the passage of this act, together with such property belonging to any individual, who actually resides thereon, as shall be worth the sum of five hundred dollars, shall be exempted from the aforesaid enumeration and valuation, and from the direct tax aforesaid: *And provided further,* That in making such assessment due regard shall be had to any valuation that may have been made under the authority of the State or Territory at any period nearest to said first day of April.

Direct tax.

Real estate. Valuation to be as of April 1, 1862.

1862, ch. 98, § 15. *Post*, p. 426.

Exemptions.

SEC. 14. *And be it further enacted,* That the respective assistant assessors shall, immediately after being required as aforesaid by the assessors, proceed through every part of their respective districts, and shall require all persons owning, possessing, or having the care or management of any lands, lots of ground, buildings, or dwelling-houses, lying and being within the collection district where they reside, and liable to a direct tax as aforesaid, to deliver written lists of the same; which lists shall be made in such manner as may be directed by the assessor, and, as far as practicable, conformably to those which may be required for the same purpose under the authority of the respective States.

Property owners to furnish lists upon request.

SEC. 15. *And be it further enacted,* That if any person owning, possessing, or having the care or management of property liable to a direct tax, as aforesaid, shall not be prepared to exhibit a written list when required, as aforesaid, and shall consent to disclose the particulars of any

If owner has no list and will disclose, officer to make list.

and all the lands and lots of ground, with their improvements, buildings, and dwelling-houses, taxable as aforesaid, then, and in that case, it shall be the duty of the officer to make such list, which, being distinctly read and consented to, shall be received as the list of such person.

Penalty for delivering or disclosing fraudulent list.

SEC. 16. *And be it further enacted*, That if any such person shall deliver or disclose to any assessor or assistant assessor appointed in pursuance of this act, and requiring a list or lists, as aforesaid, any false or fraudulent list, with intent to defeat or evade the valuation or enumeration hereby intended to be made, such person, so offending, and being thereof convicted before any court having competent jurisdiction, shall be fined in a sum not exceeding five hundred dollars, at the discretion of the court, and shall pay all costs and charges of prosecution; and the valuation and enumeration required by this act shall, in all such cases, be made, as aforesaid, upon lists, according to the form above described, to be made out by the assessors and assistant assessors, respectively; which lists the said assessors are hereby authorized and required to make according to the best information they can obtain, and for the purpose of making which they are hereby authorized to enter into and upon all and singular the premises, respectively; and from the valuation and enumeration so made there shall be no appeal.

Lists, how to be made in such cases.

No appeal from valuation, &c.

Notice to owner to furnish list in certain cases.

SEC. 17. *And be it further enacted*, That in case any person shall be absent from his place of residence at the time an assessor shall call to receive the list of such person, it shall be the duty of such assessor or assistant assessor to leave at the house or place of residence of such person, with some person of suitable age and discretion, a written note or memorandum requiring him to present to such assessor the list or lists required by this act within ten days from the date of such note or memorandum.

Proceedings when list is not given upon notice or request.

SEC. 18. *And be it further enacted*, That if any person, on being notified or required as aforesaid, shall refuse or neglect to give such list or lists as aforesaid within the time required by this act, it shall be the duty of the assessor for the assessment district within which such person shall reside, and he is hereby authorized and required, to enter into and upon the lands, buildings, dwelling-houses, and premises, if it be necessary, of such persons so refusing or neglecting, and to make, according to the best information which he can obtain, and on his own view and information, such lists of the lands and lots of ground, with their improvements, buildings, and dwelling-houses, owned or possessed, or under the care or management of such person, as are required by this act; which lists so made and subscribed by such assessor shall be taken and reputed as good and sufficient lists of the persons and property for which such person is to be taxed for the purposes of this act.

Property of absent owners, list how made.

SEC. 19. *And be it further enacted*, That whenever there shall be in any assessment district any property, lands, and lots of ground, buildings, or dwelling-houses, not owned or possessed by, or under the care and management of, any person or persons within such district, and liable to be taxed as aforesaid, and no list of which shall be transmitted to the assessor in the manner provided by this act, it shall be the duty of the assessor for such district, and he is hereby authorized and required, to enter into and upon the real estate, if it be necessary, and take such view thereof, and make lists of the same, according to the form prescribed, which lists, being subscribed by the said assessor, shall be taken and reputed as good and sufficient lists of such property, under and for the purposes of this act.

Lists how made of property in another collection district.

SEC. 20. *And be it further enacted*, That the owners, possessors, or persons having the care or management of lands, lots of ground, buildings, and dwelling-houses, not lying or being within the assessment district in which they reside, shall be permitted to make out and deliver the lists thereof required by this act, (provided the assessment district in

which the said objects of taxation lie or be is therein distinctly stated,) at the time and in the manner prescribed, to the assessor of the assessment district wherein such persons reside. And it shall be the duty of the assessors, in all such cases, to transmit such lists, at the time and in the manner prescribed for the transmission of the lists of the objects of taxation lying and being within their respective assessment districts, to the assessor of the collection district wherein the said objects of taxation shall lie or be immediately after the receipt thereof; and the said lists shall be valid and sufficient for the purposes of this act; and on the delivery of every such list, the person making and delivering the same shall pay to the assessor one dollar, which he shall retain to his own use.

SEC. 21. *And be it further enacted,* That the lists aforesaid shall be taken with reference to the day fixed for that purpose by this act, as aforesaid; and the assistant assessors, respectively, after collecting the said lists, shall proceed to arrange the same, and to make two general lists; the first of which shall exhibit, in alphabetical order, the names of all persons liable to pay a tax under this act residing within the assessment district, together with the value and assessment of the objects liable to taxation within such district for which each such person is liable, and, whenever so required by the assessor, the amount of direct tax payable by each person on such objects under the State laws imposing direct taxes; and the second list shall exhibit, in alphabetical order, the names of all persons residing out of the collection district, owners of property within the district, together with the value and assessment thereof, with the amount of direct tax payable thereon as aforesaid. The forms of the said general list shall be devised and prescribed by the assessor, and lists taken according to such form shall be made out by the assistant assessors and delivered to the assessor within sixty days after the day fixed by this act, as aforesaid, requiring lists from individuals. And if any assistant assessor shall fail to perform any duty assigned by this act within the time prescribed by his precept, warrant, or other legal instructions, not being prevented therefrom by sickness or other unavoidable accident, every such assistant assessor shall be discharged from office, and shall, moreover, forfeit and pay two hundred dollars, to be recovered for the use of the United States in any court having competent jurisdiction, with costs of suit.

Lists to be taken in reference to a day certain.

List of residents,

of non-residents.

Assessor to devise form of lists.

Penalty on assistant assessor for neglect of duty.

SEC. 22. *And be it further enacted,* That immediately after the valuations and enumerations shall have been completed as aforesaid, the assessor in each collection district shall, by advertisement in some public newspaper, if any there be in such district, and by written notifications to be publicly posted up in at least four of the most public places in each collection district, advertise all persons concerned of the place where the said lists, valuations, and enumerations may be seen and examined; and that during twenty-five days after the publication of the notifications, as aforesaid, appeals will be received and determined by him relative to any erroneous or excessive valuations or enumerations by the assessor. And it shall be the duty of the assessor in each collection district, during twenty-five days after the date of publication to be made as aforesaid, to submit the proceedings of the assistant assessors and the list by them received or taken as aforesaid to the inspection of any and all persons who shall apply for that purpose; and the said assessors are hereby authorized to receive, hear, and determine, in a summary way, according to law and right, upon any and all appeals which may be exhibited against the proceedings of the said assessors: *Provided always,* That it shall be the duty of said assessor to advertise and attend, not less than two successive days of the said twenty-five, at the court-house of each county within his collection district, there to receive and determine upon the appeals aforesaid: *And provided also,* That the question to be determined by the assessor, on

Notice to be given when lists, valuations, &c., are completed.

Assessors to submit proceedings of assistants to inspection, &c.

to hear and determine appeals.

How valuations are to be determined.

Appeals to be in writing, what to contain.

Valuations may be re-examined and equalized, not to be increased, without notice, &c.

If more than one collection district in a State, &c., the assessors may equalize, &c.

Assessors to make out lists of valuations and deliver to board of assessors.

Board, how constituted.

Board of assessors to appoint clerks.

Number and duty of clerks.

Penalty for acting without taking oath.

Duty of clerks.

Penalty on assessor for not attending general meeting of board, for failing to furnish lists.

an appeal respecting the valuation of property, shall be, whether the valuation complained of be or be not in a just relation or proportion to other valuations in the same collection district. And all appeals to the assessors, as aforesaid, shall be made in writing, and shall specify the particular cause, matter, or thing respecting which a decision is requested; and shall, moreover, state the ground or principle of inequality or error complained of. And the assessor shall have power to re-examine and equalize the valuations as shall appear just and equitable; but no valuation shall be increased without a previous notice, of at least five days, to the party interested, to appear and object to the same, if he judge proper; which notice shall be given by a note in writing, to be left at the dwelling-house of the party by such assessor or an assistant assessor.

SEC. 23. *And be it further enacted*, That whenever a State, Territory, or the District of Columbia shall contain more than one collection district, the assessors shall have power, on examination of the lists rendered by the assistant assessors, according to the provisions of this act, to revise, adjust, and equalize the valuation of lands and lots of ground, with their improvements, buildings, and dwelling-houses, between such collection districts, by deducting from or adding to either such a rate per centum as shall appear just and equitable.

SEC. 24. *And be it further enacted*, That the assessors shall, immediately after the expiration of the time for hearing and deciding appeals, make out correct lists of the valuation and enumeration in each collection district, and deliver the same to the board of assessors hereinafter constituted in and for the States respectively. And it shall be the duty of the assessors in each State to convene in general meeting at such time and place as shall be appointed and directed by the Secretary of the Treasury. And the said assessors, or a majority of them, so convened, shall constitute, and they are hereby constituted, a board of assessors for the purposes of this act, and shall make and establish such rules and regulations as to them shall appear necessary for carrying such purposes into effect, not being inconsistent with this act or the laws of the United States.

SEC. 25. *And be it further enacted*, That the said board of assessors, convened and organized as aforesaid, shall, and may, appoint a suitable person or persons to be their clerk or clerks, but not more than one for each collection district, who shall hold his or their office or offices at the pleasure of said board of assessors, and whose duty it shall be to receive, record, and preserve all tax lists, returns, and other documents delivered and made to the said board of assessors, and who shall take an oath (or affirmation if conscientiously scrupulous of taking an oath) faithfully to discharge his or their trust; and in default of taking such oath or affirmation, previous to entering on the duties of such appointment, or on failure to perform any part of the duties enjoined on him or them respectively by this act, he or they shall respectively forfeit and pay the sum of two hundred dollars for the use of the United States, to be recovered in any court having competent jurisdiction, and shall also be removed from office.

SEC. 26. *And be it further enacted*, That it shall be the duty of the said clerks to record the proceedings of the said board of assessors, and to enter on the record the names of such of the assessors as shall attend any general meeting of the board of assessors for the purposes of this act. And if any assessor shall fail to attend such general meeting his absence shall be noted on the said record, and he shall, for every day he may be absent therefrom, forfeit and pay the sum of ten dollars for the use of the United States. And if any assessor shall fail or neglect to furnish the said board of assessors with the lists of valuation and enumeration of each assessment district within his collection district within three days after the time appointed as aforesaid for such general meeting

of the said board of assessors, he shall forfeit and pay the sum of five hundred dollars for the use of the United States, and moreover shall forfeit his compensation as assessor. And it shall be the duty of the clerks of the said board of assessors to certify to the Secretary of the Treasury an extract of the minutes of the board, showing such failures or neglect, which shall be sufficient evidence of the forfeiture of such compensation to all intents and purposes: *Provided always*, That it shall be in the power of the Secretary of the Treasury to exonerate such assessor or assessors from the forfeiture of the said compensation, in whole or in part, as to him shall appear just and equitable.

Secretary of Treasury may exonerate assessor.

SEC. 27. *And be it further enacted*, That if the said board of assessors shall not, within three days after the first meeting thereof as aforesaid, be furnished with all the lists of valuation of the several counties and State districts of any State, they shall nevertheless proceed to make out the equalization and apportionment by this act directed, and they shall assign to such counties and State districts the valuation lists of which shall not have been furnished, such valuation as they shall deem just and right; and the valuation thus made to such counties and State districts by the board of assessors shall be final, and the proper quota of direct tax shall be and is hereby declared to be imposed thereon accordingly.

Board to make out equalization and apportionment.

Their valuation to be final, and the basis of taxation.

SEC. 28. *And be it further enacted*, That it shall be the duty of the said board of assessors diligently and carefully to consider and examine the said lists of valuation, and they shall have power to revise, adjust, and equalize the valuation of property in any county or State district, by adding thereto, or deducting therefrom, such a rate per centum as shall, under the valuation of the several counties and State districts, be just and equitable: *Provided*, The relative valuation of property in the same county shall not be changed, unless manifest error or imperfection shall appear in any of the lists of valuation, in which case the said board of assessors shall have power to correct the same, as to them shall appear just and right. And if, in consequence of any revisal, change, and alteration of the said valuation, any inequality shall be produced in the apportionment of the said direct tax to the several States as aforesaid, it shall be the duty of the Secretary of the Treasury to report the same to Congress, to the intent that provision may be made by law for rectifying such inequality.

Board of assessors to revise and adjust lists.

Relative valuation not to be changed unless, &c.

Inequalities of taxation to be reported to Congress.

SEC. 29. *And be it further enacted*, That as soon as the said board of assessors shall have completed the adjustment and equalization of the valuation aforesaid, they shall proceed to apportion to each county and State district its proper quota of direct tax. And the said board of assessors shall, within twenty days after the time appointed by the Secretary of the Treasury for their first meeting, complete the said apportionment, and shall record the same; they shall thereupon further deliver to each assessor a certificate of such apportionment, together with the several lists by the assessors respectively presented to the board as aforesaid, and transmit to the Secretary of the Treasury a certificate of the apportionment by them made as aforesaid; and the assessors, respectively, shall thereupon proceed to revise their respective lists, and alter and make the same in all respects conformable to the apportionment aforesaid by the said board of assessors; and the said assessors, respectively, shall make out lists containing the sums payable according to the provisions of this act upon every object of taxation in and for each collection district; which lists shall contain the name of each person residing within the said district, owning or having the care or superintendence of property lying within the said district which is liable to the said tax, when such person or persons are known, together with the sums payable by each; and where there is any property within any collection district liable to the payment of the said tax, not owned or

Board to apportion tax.

Other duties in regard to tax.

Assessors to make their lists conform.

Contents of lists.

occupied by or under the superintendence of any person resident therein, there shall be a separate list of such property, specifying the sum payable, and the names of the respective proprietors, where known. And the said assessors shall furnish to the collectors of the several collection districts, respectively, within thirty-five days after the apportionment is completed, as aforesaid, a certified copy of such list or lists for their proper collection districts, and in default of performance of the duties enjoined on the board of assessors and assessors, respectively, by this section, they shall severally and individually forfeit and pay the sum of five hundred dollars to the use of the United States, to be recovered in any court having competent jurisdiction. And it is hereby enacted and declared that the valuation, assessment, equalization, and apportionment, made by the said board of assessors, as aforesaid, shall be and remain in full force and operation for laying, levying, and collecting, yearly and every year, the annual direct tax by this act laid and imposed, until altered, modified, or abolished by law.

Lists to be given to collectors.

Penalty on assessor, &c. under this section.

Valuation and apportionment to continue until altered.

Pay of assessors and assistant assessors.

SEC. 30. *And be it further enacted*, That there shall be allowed and paid to the several assessors and assistant assessors, for their services under this act; to each assessor two dollars per day for every day employed in making the necessary arrangements and giving the necessary instructions to the assistant assessors for the valuation, and three dollars per day for every day employed in hearing appeals, revising valuations, and making out lists agreeably to the provisions of this act, and one dollar for every hundred taxable persons contained in the tax list, as delivered by him to said board of assessors; to each assistant assessor two dollars for every day actually employed in collecting lists and making valuations, the number of days necessary for that purpose to be certified by the assessor and approved by the commissioner of taxes, and one dollar for every hundred taxable persons contained in the tax lists, as completed and delivered by him to the assessor; to each of the assessors constituting the board of assessors, as aforesaid, for every day's actual attendance at said board, the sum of three dollars, and for travelling to and from the place designated by the Secretary of the Treasury, ten cents for each mile, by the most direct and usual route; and to each of the clerks of said board two dollars for every day's actual attendance thereon. And the said board of assessors, and said assessors, respectively, shall be allowed their necessary and reasonable charges for stationery and blank books used in the execution of their duties; and the compensation herein specified shall be in full for all expenses not otherwise particularly authorized, and shall be paid at the Treasury, and such amount as shall be required for such payment is hereby appropriated.

Allowed for stationery and blank books.

Collector on receiving list to give three receipts.

SEC. 31. *And be it further enacted*, That each collector, on receiving a list, as aforesaid, from the said assessors, respectively, shall subscribe three receipts; one of which shall be given on a full and correct copy of such list, which list shall be delivered by him to, and shall remain with, the assessor of his collection district, and shall be open to the inspection of any person who may apply to inspect the same; and the other two receipts shall be given on aggregate statements of the lists aforesaid, exhibiting the gross amount of taxes to be collected in each county or State district contained in the collection district, one of which aggregate statements and receipts shall be transmitted to the Secretary, and the other to the First Comptroller of the Treasury.

Collector to give bond before receiving list.

Form, penalty, &c., of bond.

SEC. 32. *And be it further enacted*, That each collector, before receiving any list, as aforesaid, for collection, shall give bond, with one or more good and sufficient sureties, to be approved by the Solicitor of the Treasury, in the amount of the taxes assessed in the collection district for which he has been or may be appointed; which bond shall be payable to the United States, with condition for the true and faithful discharge of the duties of his office according to law, and particularly for the due collec-

tion and payment of all moneys assessed upon such district, and the said bond shall be transmitted to the Solicitor of the Treasury, and, after approval by him, shall be deposited in the office of the First Comptroller of the Treasury: *Provided always*, That nothing herein contained shall be deemed to annul or in anywise impair the obligation of the bond heretofore given by any collector; but the same shall be and remain in full force and virtue, anything in this act to the contrary thereof in anywise notwithstanding.

Proviso.

SEC. 33. *And be it further enacted*, That the annual amount of the taxes so assessed shall be and remain a lien upon all lands and other real estate of the individuals who may be assessed for the same, during two years after the time it shall annually become due and payable; and the said lien shall extend to each and every part of all tracts or lots of land or dwelling-houses, notwithstanding the same may have been divided or alienated in part.

Tax assessed to be a lien for two years.

SEC. 34. *And be it further enacted*, That each collector shall be authorized to appoint, by an instrument of writing under his hand and seal, as many deputies as he may think proper, to be by him compensated for their services, and also to revoke the powers of any deputy, giving public notice thereof in that portion of the district assigned to such deputy; and each such deputy shall have the like authority, in every respect, to collect the direct tax so assessed within the portion of the district assigned to him which is by this act vested in the collector himself; but each collector shall, in every respect, be responsible both to the United States and to individuals, as the case may be, for all moneys collected, and for every act done as deputy collector by any of his deputies whilst acting as such: *Provided*, That nothing herein contained shall prevent any collector from collecting himself the whole or any part of the tax so assessed and payable in his district.

Collector may appoint deputies, and revoke appointments, &c.

Authority of deputy.

Collector responsible for moneys collected.

SEC. 35. *And be it further enacted*, That each of the said collectors shall, within ten days after receiving his collection list from the assessors, respectively, as aforesaid, and annually, within ten days after he shall be so required by the Secretary of the Treasury, advertise in one newspaper printed in his collection district, if any there be, and by notifications, to be posted up in at least four public places in his collection district, that the said tax has become due and payable, and state the times and places at which he or they will attend to receive the same, which shall be within twenty days after such notification; and with respect to persons who shall not attend, according to such notifications, it shall be the duty of each collector, in person or by deputy, to apply once at their respective dwellings within such district, and there demand the taxes payable by such persons, which application shall be made within sixty days after the receipt of the collection lists, as aforesaid, or after the receipt of the requisition of the Secretary of the Treasury, as aforesaid, by the collectors; and if the said taxes shall not be then paid, or within twenty days thereafter, it shall be lawful for such collector, or his deputies, to proceed to collect the said taxes by distraint and sale of the goods, chattels, or effects of the persons delinquent as aforesaid. And in case of such distraint, it shall be the duty of the officer charged with the collection to make, or cause to be made, an account of the goods or chattels which may be distrained, a copy of which, signed by the officer making such distraint, shall be left with the owner or possessor of such goods, chattels, or effects, or at his or her dwelling, with some person of suitable age and discretion, with a note of the sum demanded, and the time and place of sale; and the said officer shall forthwith cause a notification to be publicly posted up at two of the taverns nearest to the residence of the person whose property shall be distrained, or at the court-house of the same county, if not more than ten miles distant, which notice shall specify the articles distrained, and the time and place for the sale thereof, which time shall not be less than ten days from

Collector to advertise that tax is due and payable, &c.

to demand at dwellings taxes not paid.

to distraint, if not paid within, &c.

Duty of officer in case of distraint.

Property may be restored after distraint, on payment, &c. of tax, &c.

If tax not paid, property to be sold.

What exempted from distraint.

When personal property cannot be found sufficient to satisfy tax and costs, the real estate to be sold.

Provisions as to sale.

If real estate will not sell for enough to pay tax, the United States to take it. Proviso

Right of redemption.

Deed not to be given until, &c.

the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distraint: *Provided*, That in any case of distraint for the payment of the tax aforesaid, the goods, chattels, or effects so distrained shall and may be restored to the owner or possessor if, prior to the sale thereof, payment or tender thereof shall be made to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expense of removing and keeping the goods, chattels, or effects so distrained, as may be allowed in like cases by the laws or practice of the State wherein the distraint shall have been made; but in case of non-payment or tender, as aforesaid, the said officers shall proceed to sell the said goods, chattels, or effects, at public auction, and shall and may retain from the proceeds of such sale the amount demandable for the use of the United States, with the necessary and reasonable expenses of distraint and sale, and a commission of five per centum thereon for his own use, rendering the overplus, if any there be, to the person whose goods, chattels, or effects shall have been distrained: *Provided*, That it shall not be lawful to make distraint of the tools or implements of a trade or profession, beasts of the plough necessary for the cultivation of improved lands, arms, or household furniture, or apparel necessary for a family.

SEC. 36. *And be it further enacted*, That whenever goods, chattels, or effects sufficient to satisfy any tax upon buildings, dwelling-houses, or lands and their improvements, owned, occupied, or superintended by persons known or residing within the same collection district, cannot be found, the collector having first advertised the same for thirty days, in a newspaper printed within the collection district, if such there be, and having posted up, in at least ten public places within the same, a notification of the intended sale, thirty days previous thereto, shall proceed to sell at public sale so much of the said property as may be necessary to satisfy the taxes due thereon, together with an addition of twenty per centum to the said taxes. But in all cases where the property liable to a direct tax under this act may not be divisible, so as to enable the collector by a sale of part thereof to raise the whole amount of the tax, with all costs, charges, and commissions, the whole of such property shall be sold, and the surplus of the proceeds of the sale, after satisfying the tax, costs, charges, and commissions, shall be paid to the owner of the property, or his legal representatives, or if he or they cannot be found, or refuse to receive the same, then such surplus shall be deposited in the Treasury of the United States, to be there held for the use of the owner or his legal representatives, until he or they shall make application therefor to the Secretary of the Treasury, who, upon such application, shall, by warrant on the Treasury, cause the same to be paid to the applicant. And if the property advertised for sale as aforesaid cannot be sold for the amount of the tax due thereon, with the said additional twenty per centum thereto, the collector shall purchase the same in behalf of the United States for the amount aforesaid: *Provided*, That the owner or superintendent of the property aforesaid, after the same shall have been, as aforesaid, advertised for sale, and before it shall have been actually sold, shall be allowed to pay the amount of the tax thereon, with an addition of ten per centum on the same, on the payment of which the sale of the property shall not take place: *Provided also*, That the owners, their heirs, executors, or administrators, or any person on their behalf, shall have liberty to redeem the lands and other property sold, as aforesaid, within two years from the time of sale, upon payment to the collector for the use of the purchaser, his heirs or assigns, of the amount paid by said purchaser, with interest for the same, at the rate of twenty per centum per annum; and no deed shall be given in pursuance of such sale until the time of redemption shall have expired. And the collector shall render a distinct account of the

charges incurred in offering and advertising for sale such property, and shall pay into the Treasury the surplus, if any there be, of the aforesaid addition of twenty per centum, or ten per centum, as the case may be, after defraying the charges. And in every case of the sale of real estate which shall be made under the authority of this act by the collectors, respectively, or their lawful deputies, respectively, the deeds for the estate so sold shall be prepared, made, executed, and proved or acknowledged at the time and times prescribed in this act by the collectors, respectively, within whose collection district such real estate shall be situated, in such form of law as shall be authorized and required by the laws of the United States, or by the law of the State in which such real estate lies, for making, executing, proving, and acknowledging deeds of bargain and sale or other conveyances for the transfer and conveyance of real estate; and for every deed so prepared, made, executed, proved, and acknowledged, the purchaser or grantee shall pay to the collector the sum of two dollars, for the use of the collector or other person effecting the sale of the real estate thereby conveyed.

Form, &c. of deed.

Cost thereof.

SEC. 37. *And be it further enacted,* That with respect to property lying within any collection district not owned or occupied, or superintended by some person residing in such collection district, and on which the tax shall not have been paid to the collector within ninety days after the day on which he shall have received the collection lists from the said assessors, respectively, as aforesaid, or the requisition of the Secretary of the Treasury as aforesaid, the collector shall transmit lists of the same to one of the collectors within the same State, to be designated for that purpose by the Secretary of the Treasury; and the collector, who shall have been thus designated by the Secretary of the Treasury, shall transmit receipts for all the lists received, as aforesaid, to the collector transmitting the same; and the collectors, thus designated in each State by the Secretary of the Treasury, shall cause notifications of the taxes due as aforesaid, and contained in the lists thus transmitted to them, to be published for sixty days in at least one of the newspapers published in the State; and the owners of the property, on which such taxes may be due, shall be permitted to pay to such collector the said tax, with an addition of ten per centum thereon; *Provided,* That such payment is made within one year after the day on which the collector of the district where such property lies had notified that the tax had become due on the same.

Collection of tax on property of non-residents.

SEC. 38. *And be it further enacted,* That when any tax, as aforesaid, shall have remained unpaid for the term of one year, as aforesaid, the collector in the State where the property lies, and who shall have been designated by the Secretary of the Treasury, as aforesaid, having first advertised the same for sixty days in at least one newspaper in the State, shall proceed to sell, at public sale, so much of the said property as may be necessary to satisfy the taxes due thereon, together with an addition of twenty per centum thereon; or if such property is not divisible, as aforesaid, the whole thereof shall be sold, and accounted for in the manner hereinbefore provided. If the property advertised for sale cannot be sold for the amount of the tax due thereon, with the said addition thereon, the collector shall purchase the same in behalf of the United States for such amount and addition. And the collector shall render a distinct account of the charges incurred in offering and advertising for sale such property, and pay into the Treasury the surplus, if any, of the aforesaid addition of ten or twenty per centum, as the case may be, after defraying the said charges.

Property may be sold when tax has remained unpaid one year.

Provisions as to sale, &c.

SEC. 39. *And be it further enacted,* That the collectors, designated as aforesaid by the Secretary of the Treasury, shall deposit with the clerks of the district court of the United States in the respective States, and within which district the property lies, correct lists of the tracts of land or other real property sold by virtue of this act for non-payment

Collectors to deposit with clerk of court lists of property sold.

of taxes, together with the names of owners or presumed owners, and of the purchasers of the same at the public sales aforesaid, and of the amount paid by said purchasers for the same; the owners, their heirs, executors, or administrators, or any person in their behalf, shall have liberty to redeem the lands or other property sold, as aforesaid, within two years from the time of sale, upon payment to the clerk aforesaid, for the use of the purchaser, his heirs, or assigns, of the amount paid by such purchaser for the said land, or other real property, with interest for the same at the rate of twenty per centum per annum, and of a commission of five per centum on such payment for the use of the clerk aforesaid. The clerks shall, on application, pay to the purchasers the moneys thus paid for their use; and the collectors, respectively, shall give deeds for the lands or property aforesaid to the purchasers entitled to the same, in all cases where the same shall not have been redeemed within two years, as aforesaid, by the original owners thereof, or their legal representatives, or any person in their behalf, and deposit such deeds with such clerk. And the said clerk shall be entitled to receive from the purchaser, for his own use, the sum of one dollar, in addition to the sum hereinbefore made payable to the collector, for every such deed, to be paid on the delivery thereof to such purchasers. And in all cases where lands may be sold under this act for the payment of taxes, belonging to infants, persons of insane mind, married women, or persons beyond sea, such persons shall have the term of two years after their respective disabilities shall have been removed, or their return to the United States, to redeem lands thus sold, on their paying into the clerk's office aforesaid the amount paid by the purchaser, with fifty per centum addition thereto, together with ten per centum interest per annum, on the aggregate sum, and on their payment to the purchaser of the land aforesaid a compensation for all improvements he may have made on the premises, subsequent to his purchase, the value of which improvements to be ascertained by three or more neighboring freeholders, to be appointed by the clerk aforesaid, who, on actual view of the premises, shall assess the value of such improvements, on their oaths, and make return of such valuation to the clerk immediately. And the clerk of the court shall receive such compensation for his services herein, to be paid by and received from the parties, like costs of suit, as the judge of the district court shall, in that respect, tax and allow.

Right of redemption.

Proceedings.

Clarks' fees.

Infants, insane, married women, and persons beyond the sea.

Improvements.

Pay of clerk.

Collector to transmit monthly to Secretary of Treasury, statement of collections; pay over quarterly, &c.

Proviso.

To be charged with amount of taxes receipted for by him.

To be credited with what.

SEC. 40. *And be it further enacted,* That the several collectors shall, at the expiration of every month, after they shall, respectively, commence their collections in the next and every ensuing year, transmit to the Secretary of the Treasury a statement of the collections made by them, respectively, within the month, and pay over quarterly, or sooner, if required by the Secretary of the Treasury, the moneys by them respectively collected within the said term; and each of the said collectors shall complete the collection of all sums annually assigned to him for collection, as aforesaid, shall pay over the same into the Treasury, and shall render his final account to the Treasury Department, within six months from and after the day when he shall have received the collection lists from the said board of assessors or the said requisition of the Secretary of the Treasury, as aforesaid: *Provided, however,* That the period of one year and three months from the said annual day shall be annually allowed to the collector designated in each State, as aforesaid, by the Secretary of the Treasury, with respect to the taxes contained in the list transmitted to him by the other collectors, as aforesaid.

SEC. 41. *And be it further enacted,* That each collector shall be charged with the whole amount of taxes by him receipted, whether contained in the lists delivered to him by the principal assessors, respectively, or transmitted to him by other collectors; and shall be allowed credit for the amount of taxes contained in the lists transmitted in the manner above provided to other collectors, and by them receipted as aforesaid; and also

for the taxes of such persons as may have absconded, or become insolvent, subsequent to the date of the assessment, and prior to the day when the tax ought, according to the provisions of this act, to have been collected: *Provided*, That it shall be proved to the satisfaction of the First Comptroller of the Treasury that due diligence was used by the collector, and that no property was left from which the tax could have been recovered; and each collector, designated in each State, as aforesaid, by the Secretary of the Treasury, shall receive credit for the taxes due for all tracts of land which, after being offered by him for sale in manner aforesaid, shall or may have been purchased by him in behalf of the United States.

Proviso.

SEC. 42. *And be it further enacted*, That if any collector shall fail either to collect or to render his account, or to pay over in the manner or within the times hereinbefore provided, it shall be the duty of the First Comptroller of the Treasury, and he is hereby authorized and required, immediately after such delinquency, to report the same to the Solicitor of the Treasury, who shall issue a warrant of distress against such delinquent collector and his sureties, directed to the marshal of the district, therein expressing the amount of the taxes with which the said collector is chargeable, and the sums, if any, which have been paid. And the said marshal shall, himself, or by his deputy, immediately proceed to levy and collect the sum which may remain due, by distress and sale of the goods and chattels, or any personal effects of the delinquent collector; and for want of goods, chattels, or effects aforesaid, sufficient to satisfy the said warrant, the same may be levied on the person of the collector, who may be committed to prison, there to remain until discharged in due course of law; and furthermore, notwithstanding the commitment of the collector to prison, as aforesaid, or if he abscond, and goods, chattels, and effects cannot be found sufficient to satisfy the said warrant, the said marshal or his deputy shall and may proceed to levy and collect the sum which remains due, by distress and sale of the goods and chattels, or any personal effects, of the surety or sureties of the delinquent collector. And the amount of the sums due from any collector, as aforesaid, shall, and the same are hereby declared to be a lien upon the lands and real estate of such collector and his sureties, until the same shall be discharged according to law. And for want of goods and chattels, or other personal effects of such collector or his sureties, sufficient to satisfy any warrant of distress, issued pursuant to the preceding section of this act, the lands and real estate of such collector and his sureties, or so much thereof as may be necessary for satisfying the said warrant, after being advertised for at least three weeks in not less than three public places in the collection district, and in one newspaper printed in the county or district, if any there be, prior to the proposed time of sale, may and shall be sold by the marshal or his deputy; and for all lands and real estate sold in pursuance of the authority aforesaid, the conveyances of the marshals or their deputies, executed in due form of law, shall give a valid title against all persons claiming under delinquent collectors or their sureties aforesaid. And all moneys that may remain of the proceeds of such sale, after satisfying the said warrant of distress, and paying the reasonable costs and charges of sale, shall be returned to the proprietor of the lands or real estate sold as aforesaid.

Delinquent collectors.

Personal property to be seized and sold.

Arrest.

Sums due from collector to be a lien on his lands, and those of his sureties.

Real estate may be sold.

Title under tax deed.

Balance if any after, &c.

SEC. 43. *And be it further enacted*, That each and every collector, or his deputy, who shall exercise or be guilty of any extortion or oppression, under color of this act, or shall demand other or greater sums than shall be authorized by this act, shall be liable to pay a sum not exceeding two thousand dollars, to be recovered by and for the use of the party injured, with costs of suit, in any court having competent jurisdiction; and each and every collector, or his deputies, shall give receipts for all sums by them collected and retained in pursuance of this act.

Penalty on collector and deputy for extortion, &c.

SEC. 44. *And be it further enacted*, That separate accounts shall be

Accounts, how to be kept at Treasury Department, of moneys received.

kept at the Treasury of all moneys received from the direct tax, and from the internal duties, or income tax, in each of the respective States, Territories, and District of Columbia, and collection districts; and that separate accounts shall be kept of the amount of each species of duty that shall accrue, with the moneys paid to the collectors, assessors, and assistant assessors, and to the other officers employed in each of the respective States, Territories, and collection districts, which accounts it shall be the duty of the Secretary of the Treasury, annually, in the month of December, to lay before Congress.

To be reported to Congress.

Assessors to make out lists of transfers and changes of real estate.

SEC. 45. *And be it further enacted*, That the assessors, respectively, shall, yearly and in every year, after the expiration of one year from the second Tuesday of February next, inquire and ascertain, in the manner by the fourteenth section of this act provided, what transfers and changes of property in lands, lots of ground, buildings, and dwelling-houses have been made and effected in their respective districts, subsequent to the next preceding valuation, assessment, and apportionment of the direct tax by this act laid; and within twenty days thereafter they shall make out three lists of such transfers and changes, and transmit one list to the Secretary of the Treasury, another list to the commissioner of taxes, and the third shall be delivered to the collector of the collection district. And it shall yearly, and every year, after the said year one thousand eight hundred and sixty-two, be the duty of the Secretary of the Treasury to notify the collectors of the several collection districts the day on which it shall be the duty of the said collectors to commence laying and collecting the annual direct tax by this act laid and imposed, according to the assessment of the tax lists to them delivered by the said assessors, as aforesaid, subject only to such alterations therein as shall be just and proper, in the opinion of the Secretary of the Treasury, to conform to the transfers and changes aforesaid, ascertained by the assessors aforesaid; and the said collectors shall, annually, in all respects, proceed in and conclude the collection of the said direct tax in the same manner and within the time hereinbefore provided and prescribed.

Duty of collectors.

Proceedings if any State fails to pay, &c., her quota of the tax.

SEC. 46. *And be it further enacted*, That in case any State, Territory, or the District of Columbia, after notice given of its intention to assume and pay, or to levy, collect, and pay said direct tax herein provided for and apportioned to said State, Territory, or District, shall, in any year after the taking effect of this act, fail to pay the amount of said direct tax or any part thereof, as provided in this act, in such cases it shall be lawful for the Secretary of the Treasury of the United States to appoint United States' assessors, assistant assessors, and collectors, as in this act provided, whose duty it shall be to proceed forthwith, under such regulations as the said Secretary of the Treasury shall prescribe, to collect all or any part of said direct tax the same as though said State, Territory, or District had not given notice, nor assumed to levy, collect, and pay said taxes, or any part thereof.

Penalty for taking false oath or affirmation.

SEC. 47. *And be it further enacted*, That any person who shall be convicted of wilfully taking a false oath or affirmation in any of the cases in which an oath or affirmation is required to be taken by this act, shall be liable to the pains and penalties to which persons are liable for wilful and corrupt perjury, and shall, moreover, forfeit the sum of five hundred dollars.

Pay of collectors and deputies. Commissions.

SEC. 48. *And be it further enacted*, That there shall be allowed to the collectors appointed under this act, in full compensation for their services and that of their deputies in carrying this act into effect, a commission of four per centum upon the first hundred thousand dollars, one per centum upon the second one hundred thousand dollars, and one-half of one per centum upon all sums above two hundred thousand dollars; such commissions to be computed upon the amounts by them respectively paid

over and accounted for under the instructions of the Treasury Department: *Provided*, That in no case shall such commissions exceed the sum of four thousand dollars for a principal officer and two thousand dollars for an assistant. And there shall be further allowed to each collector their necessary and reasonable charges for stationery and blank books used in the performance of their official duties, which, after being duly examined and certified by the commissioner of taxes, shall be paid out of the Treasury.

Proviso.

Allowance for stationery, blank books, &c.

SEC. 49. *And be it further enacted*, That, from and after the first day of January next, there shall be levied, collected, and paid, upon the annual income of every person residing in the United States, whether such income is derived from any kind of property, or from any profession, trade, employment, or vocation carried on in the United States or elsewhere, or from any other source whatever, if such annual income exceeds the sum of eight hundred dollars, a tax of three per centum on the amount of such excess of such income above eight hundred dollars: *Provided*, That upon such portion of said income as shall be derived from interest upon treasury notes or other securities of the United States, there shall be levied, collected, and paid a tax of one and one half per centum. Upon the income, rents, or dividends accruing upon any property, securities, or stocks owned in the United States by any citizen of the United States residing abroad, there shall be levied, collected, and paid a tax of five per centum, excepting that portion of said income derived from interest on treasury notes and other securities of the Government of the United States, which shall pay one and one half per centum. The tax herein provided shall be assessed upon the annual income of the persons hereinafter named for the year next preceding the time for assessing said tax, to wit, the year next preceding the first of January, eighteen hundred and sixty-two; and the said taxes, when so assessed and made public, shall become a lien on the property or other sources of said income for the amount of the same, with the interest and other expenses of collection until paid: *Provided*, That, in estimating said income, all national, state, or local taxes assessed upon the property, from which the income is derived, shall be first deducted.

Income tax.

[Repealed, 1862, ch. 119, § 89. Post, p. 473.]

Excess over \$800.

Proviso.

Of what date to be assessed.
Lien.

Income, how to be estimated.

SEC. 50. *And be it further enacted*, That it shall be the duty of the President of the United States, and he is hereby authorized, by and with the advice and consent of the Senate, to appoint one principal assessor and one principal collector in each of the States and Territories of the United States, and in the District of Columbia, to assess and collect the internal duties or income tax imposed by this act, with authority in each of said officers to appoint so many assistants as the public service may require, to be approved by the Secretary of the Treasury. The said taxes to be assessed and collected under such regulations as the Secretary of the Treasury may prescribe. The said collectors, herein authorized to be appointed, shall give bonds, to the satisfaction of the Secretary of the Treasury, in such sums as he may prescribe, for the faithful performance of their respective duties. And the Secretary of the Treasury shall prescribe such reasonable compensation for the assessment and collection of said internal duties or income tax as may appear to him just and proper; not, however, to exceed in any case the sum of two thousand five hundred dollars per annum for the principal officers herein referred to, and twelve hundred dollars per annum for an assistant. The assistant collectors herein provided shall give bonds to the satisfaction of the principal collector for the faithful performance of their duties. The Secretary of the Treasury is further authorized to select and appoint one or more depositaries in each State for the deposit and safe-keeping of the moneys arising from the taxes herein imposed when collected, and the receipt of the proper officer of such depository to the collector for the moneys deposited by him shall be the proper voucher for such collector in

Mode of assessing and collecting income tax.

[Repealed in part, 1862, ch. 119, § 89. Post, p. 473.]

Collector to give bond.

Pay.

Assistant-Collectors' bond.

Depositaries.

the settlement of his account at the Treasury Department. And he is further authorized and empowered to make such officer or depositary the disbursing agent of the Treasury for the payment of all interest due to the citizens of such State upon the treasury notes or other government securities issued by authority of law. And he shall also prescribe the forms of returns to be made to the department by all assessors and collectors appointed under the authority of this act. He shall also prescribe the form of oath or obligation to be taken by the several officers authorized or directed to be appointed and commissioned by the President under this act, before a competent magistrate duly authorized to administer oaths, and the form of the return to be made thereon to the Treasury Department.

Depositories to be disbursing agents. **Form of return of oath.** **When income tax is payable.** [Repealed, 1862, ch. 119, § 89. Post, p. 473.] **Proceedings to enforce payment.** **Levy.** **Sale after notice.** **Title under tax sale.** **Examinations.** **Sales of stocks, &c.** **Penalty for refusing to testify.** **Custody, place of, fees and expense of.**

SEC. 51. *And be it further enacted,* That the tax herein imposed by the forty-ninth section of this act shall be due and payable on or before the thirtieth day of June, in the year eighteen hundred and sixty-two, and all sums due and unpaid at that day shall draw interest thereafter at the rate of six per centum per annum; and if any person or persons shall neglect or refuse to pay after due notice said tax assessed against him, her, or them, for the space of more than thirty days after the same is due and payable, it shall be lawful for any collector or assistant collector charged with the duty of collecting such tax, and they are hereby authorized, to levy the same on the visible property of any such person, or so much thereof as may be sufficient to pay such tax, with the interest due thereon, and the expenses incident to such levy and sale, first giving thirty days' public notice of the time and place of the sale thereof; and in case of the failure of any person or persons authorized to act as agent or agents for the collection of the rents or other income of any person residing abroad shall neglect or refuse to pay the tax assessed thereon (having had due notice) for more than thirty days after the thirtieth of June, eighteen hundred and sixty-two, the collector or his assistant, for the district where such property is located, or rents or income is payable, shall be and hereby is authorized to levy upon the property itself, and to sell the same, or so much thereof as may be necessary to pay the tax assessed, together with the interest and expenses incident to such levy and sale, first giving thirty days' public notice of the time and place of sale. And in all cases of the sale of property herein authorized, the conveyance by the officer authorized to make the sale, duly executed, shall give a valid title to the purchaser, whether the property sold be real or personal. And the several collectors and assistants appointed under the authority of this act may, if they find no property to satisfy the taxes assessed upon any person by authority of the forty-ninth section of this act, and which such person neglects to pay as hereinbefore provided, shall have power, and it shall be their duty, to examine under oath the person assessed under this act, or any other person, and may sell at public auction, after ten days' notice, any stock, bonds, or choses in action, belonging to said person, or so much thereof as will pay such tax and the expenses of such sale; and in case he refuses to testify, the said several collectors and assistants shall have power to arrest such person and commit him to prison, to be held in custody until the same shall be paid, with interest thereon, at the rate of six per centum per annum, from the time when the same was payable as aforesaid, and all fees and charges of such commitment and custody. And the place of custody shall in all cases be the same provided by law for the custody of persons committed for any cause by the authority of the United States, and the warrant of the collector, stating the cause of commitment, shall be sufficient authority to the proper officer for receiving and keeping such person in custody until the amount of said tax and interest, and all fees and the expense of such custody, shall have been fully paid and discharged; which fees and expenses shall be the same as are chargeable under the laws of the United States in

other cases of commitment and custody. And it shall be the duty of such collector to pay the expenses of such custody, and the same, with his fees, shall be allowed on settlement of his accounts. And the person so committed shall have the same right to be discharged from such custody as may be allowed by the laws of the State or Territory, or the District of Columbia, where he is so held in custody, to persons committed under the laws of such State or Territory, or District of Columbia, for the non-payment of taxes, and in the manner provided by such laws; or he may be discharged at any time by order of the Secretary of the Treasury.

Custody, discharge from.

SEC. 52. *And be it further enacted,* That should any of the people of any of the States or Territories of the United States, or the District of Columbia be in actual rebellion against the authority of the Government of the United States at the time this act goes into operation, so that the laws of the United States cannot be executed therein, it shall be the duty of the President, and he is hereby authorized, to proceed to execute the provisions of this act within the limits of such State or Territory, or District of Columbia, so soon as the authority of the United States therein is re-established, and to collect the sums which would have been due from the persons residing or holding property or stocks therein, with the interest due, at the rate of six per centum per annum thereon until paid in the manner and under the regulations prescribed in the foregoing *in the foregoing* sections of this act.

If any State is in rebellion, when this act goes into operation, act to be executed, when, &c.

SEC. 53. *And be it further enacted,* That any State or Territory and the District of Columbia may lawfully assume, assess, collect, and pay into the Treasury of the United States the direct tax, or its quota thereof, imposed by this act upon the State, Territory, or the District of Columbia, in its own way and manner, by and through its own officers, assessors, and collectors; that it shall be lawful to use for this purpose the last or any subsequent valuation, list, or appraisal made by State or Territorial authority for the purpose of State or Territorial taxation therein, next preceding the date when this act takes effect, to make any laws or regulations for these purposes, to fix or change the compensation to officers, assessors, and collectors; and any such State, Territory or District, which shall give notice by the Governor, or other proper officer thereof, to the Secretary of the Treasury of the United States, on or before the second Tuesday of February next, and in each succeeding year thereafter, of its intention to assume and pay, or to assess, collect, and pay into the Treasury of the United States, the direct tax imposed by this act, shall be entitled, in lieu of the compensation, pay per diem and per centage herein prescribed and allowed to assessors, assistant assessors, and collectors of the United States, to a deduction of fifteen per centum on the quota of direct tax apportioned to such State, Territory or the District of Columbia levied and collected by said State, Territory, and District of Columbia through its said officers: *Provided, however,* That the deduction shall only be made to apply to such part or parts of the same as shall have been actually paid into the Treasury of the United States on or before the last day of June in the year to which such payment relates, and a deduction of ten per centum to such part or parts of the same as shall have been actually paid into the Treasury of the United States on or before the last day of September in the year to which such payment relates, such year being regarded as commencing on the first day of April: *And provided further,* That whenever notice of the intention to make such payment by the State, or Territory and the District of Columbia shall have been given to the Secretary of the Treasury, in accordance with the foregoing provisions, no assessors, assistant assessors, or collectors, in any State, Territory, or District, so giving notice, shall be appointed, unless said State, Territory, or District shall be in default: *And provided, further,* That the amount of direct tax, apportioned to any State, Territory, or the

Each State may collect and pay its quota of the direct tax in its own way.

Proceedings in such case.

1862, ch. 66. Post, p. 384.

Deduction in such case of 15 per cent.

To what to apply.

No assessors to be appointed in such case.

State may pay its tax by releasing claim against the United States.
Post, p. 384.
Proviso.

District of Columbia, shall be liable to be paid and satisfied, in whole or in part, by the release of such State, Territory, or District, duly executed, to the United States, of any liquidated and determined claim of such State, Territory, or District, of equal amount against the United States: *Provided*, That, in case of such release, such State, Territory, or District shall be allowed the same abatement of the amount of such tax as would be allowed in case of payment of the same in money.

Duty of collectors to collect duties imposed by this act.

SEC. 54. *And be it further enacted*, That it shall be the duty of the collectors aforesaid in their respective districts, and they are hereby authorized, to collect the duties imposed by this act, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act; and all fines, penalties, and forfeitures which shall be incurred by force of this act, shall and may be sued for and recovered in the name of the United States or of the collector within whose district any such fine, penalty, or forfeiture shall have been incurred, by bill, plaint, or information; one moiety thereof to the use of the United States, and the other moiety thereof to the use of such collector.

Fines and penalties, how recovered.

Debts due from collector to the United States to be a lien on his real estate and that of his sureties.

SEC. 55. *And be it further enacted*, That the amount of all debts due to the United States by any collector, under this act, whether secured by bond or otherwise, shall and are hereby declared to be a lien upon the lands and real estate of such collector, and of his sureties, if he shall have given bond, from the time when suit shall be instituted for recovering the same; and, for want of goods and chattels and other personal effects of such collector or his sureties to satisfy any judgment which shall or may be recovered against them, respectively, such lands and real estate may be sold at public auction, after being advertised for at least three weeks in not less than three public papers within the collection district, and in one newspaper printed in the county, if any there be, at least six weeks prior to the time of sale; and for all lands or real estate sold in pursuance of the authority aforesaid, the conveyances of the marshals or their deputies, executed in due form of law, shall give a valid title against all persons claiming under such collector or his sureties, respectively.

Office of commissioner of taxes created.

SEC. 56. *And be it further enacted*, That, for superintending the collection of the direct tax and internal duties or income tax laid by this act, an officer is hereby authorized in the Treasury Department, to be called "Commissioner of Taxes," who shall be charged, under the direction of the Secretary, with preparing all the forms necessary for the assessment and collection of the tax and duties aforesaid, with preparing, signing, and distributing all such licenses as are required, and with the general superintendence of all the officers employed in assessing and collecting said tax and duties; said commissioner shall be appointed by the President, upon the nomination of the Secretary of the Treasury, and he shall receive an annual salary of three thousand dollars. The Secretary of the Treasury may assign the necessary clerks to the office of said commissioner, whose aggregate salaries shall not exceed six thousand dollars per annum, and the amount required to pay the salaries of said commissioner and clerks is hereby appropriated.

Authority, duty, salary.

Clerks.

If a collector is sick, deputy may act, &c.

SEC. 57. *And be it further enacted*, That in case of the sickness or temporary disability of a collector to discharge such of his duties as cannot, under existing laws, be discharged by a deputy, they may be devolved by him upon a deputy: *Provided*, Information thereof be immediately communicated to the Secretary of the Treasury, and shall not be disapproved by him: *And provided*, That the responsibility of the collector or his sureties to the United States shall not be thereby affected or impaired.

If collector dies, resigns, &c., who to act in his place.

SEC. 58. *And be it further enacted*, That in case a collector shall die, resign, or be removed, the deputy of such collector longest in service at the time immediately preceding, who shall have been longest employed by

him, may and shall, until a successor shall be appointed, discharge all the duties of said collector, and for whose conduct, in case of the death of the collector, his estate shall be responsible to the United States.

APPROVED, August 5, 1861.

CHAP. XLVI. — *An Act supplementary to an Act entitled "An Act to authorize a National Loan, and for other Purposes."* August 5, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to issue bonds of the United States, bearing interest at six per centum per annum, and payable at the pleasure of the United States after twenty years from date; and if any holder of Treasury notes, bearing interest at the rate of seven and three-tenths per centum, which may be issued under the authority of the act to authorize a national loan and for other purposes, approved July seventeenth, eighteen hundred and sixty-one, shall desire to exchange the same for said bonds, the Secretary of the Treasury may, at any time before or at the maturity of said Treasury notes, issue to said holder, in payment thereof, an amount of said bonds equal to the amount which, at the time of such payment or exchange, may be due on said Treasury notes; but no such bonds shall be issued for a less sum than five hundred dollars, nor shall the whole amount of such bonds exceed the whole amount of Treasury notes bearing seven and three-tenths per centum interest, issued under said act; and any part of the Treasury notes payable on demand, authorized by said act, may be made payable by the Assistant Treasurer at Saint Louis, or by the depository at Cincinnati.

1861, ch. 5.
Ante, p. 259.

Six per cent. bonds may be issued, redeemable in twenty years, and exchangeable for certain Treasury notes.

Denomination and amount of bonds.

Where Treasury notes may be made payable.

SEC. 2. *And be it further enacted,* That the Treasury notes issued under the provisions of the said act to authorize a national loan, and for other purposes, or of any other act now in force authorizing the issue of such notes, shall be signed by the Treasurer of the United States, or by some officer of the Treasury Department, designated by the Secretary of the Treasury, for said Treasurer, and countersigned by the Register of the Treasury, or by some officer of the Treasury Department, designated by the Secretary of the Treasury, for said Register, and no Treasury notes, issued under any act, shall require the seal of the Treasury Department.

Treasury notes, how executed.

Need not have seal.

SEC. 3. *And be it further enacted,* That so much of the act to which this is supplementary as limits the denomination of a portion of the Treasury notes authorized by said act at not less than ten dollars, be and is so modified as to authorize the Secretary of the Treasury to fix the denomination of said notes at not less than five dollars.

May be issued for not less than \$5.
Ante, p. 259.
Post, p. 338.

SEC. 4. *And be it further enacted,* That, in addition to the amount heretofore appropriated, the sum of one hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to pay such expenses, commissions, or compensation as may be necessary, in the judgment of the Secretary of the Treasury, to carry into execution the provisions of this act, and of the act to which this is supplementary.

Appropriation for purposes of this act, &c.

SEC. 5. *And be it further enacted,* That the Treasury notes authorized by the act to which this is supplementary, of a less denomination than fifty dollars, payable on demand without interest, and not exceeding in amount the sum of fifty millions of dollars, shall be receivable in payment of public dues.

Notes on demand, &c., under \$50, receivable for public dues.

SEC. 6. *And be it further enacted,* That the provisions of the act entitled "An Act to provide for the better organization of the Treasury, and for the collection, safe-keeping, transfer, and disbursements of the public revenue," passed August six, eighteen hundred and forty-six, be and the same are hereby suspended, so far as to allow the Secre-

Portions of sub-treasury act suspended.

1846, ch. 90.
Vol. ix. p. 59.

Deposits in solvent specie-paying banks.

tary of the Treasury to deposit any of the moneys obtained on any of the loans now authorized by law, to the credit of the Treasurer of the United States, in such solvent specie-paying banks as he may select; and the said moneys, so deposited, may be withdrawn from such deposit for deposit with the regular authorized depositories, or for the payment of public dues, or paid in redemption of the notes authorized to be issued under this act, or the act to which this is supplementary, payable on demand, as may seem expedient to, or be directed by, the Secretary of the Treasury.

Six per cent. bonds due in 20 years may be issued for certain seven per cent. bonds.

SEC. 7. *And be it further enacted*, That the Secretary of the Treasury may sell or negotiate, for any portion of the loan provided for in the act to which this is supplementary, bonds payable not more than twenty years from date, and bearing interest not exceeding six per centum per annum, payable semi-annually, at any rate not less than the equivalent of par, for the bonds bearing seven per centum interest, authorized by said act.

APPROVED, August 5, 1861.

August 5, 1861.

CHAP. XLVII. — *An Act supplementary to an Act entitled "An Act to increase the present Military Establishment of the United States," approved July twenty-ninth, eighteen hundred and sixty-one.*

1861, ch. 24.
Ante, p. 279.

1862, ch. 200, §
19. Post, p. 596.

Additional aides-de-camp authorized.

1862, ch. 133, §
7. Post, p. 509.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the President of the United States, during the existing insurrection and rebellion, upon the recommendation of the Lieutenant-General commanding the army of the United States, or of any Major-General of the regular army of the United States, commanding forces of the United States in the field, to appoint such number of aides-de-camp, in addition to those now authorized by law, as the exigencies of the service may, in the opinion of the President, require; such aides-de-camp to bear respectively the rank and authority of captains, majors, lieutenant-colonels, or colonels of the regular army as the President may direct, and to receive the same pay and allowances as are provided by existing laws for officers of cavalry of corresponding rank. The President shall cause all aides-de-camp appointed under this act to be discharged whenever they shall cease to be employed in active service, and he may reduce the number so employed whenever he may deem it expedient so to do. Any officers of the regular army appointed aides-de-camp under this act, and detached or assigned to duty for service as such, shall upon their discharge resume their positions in the regular army, and shall be entitled to the same rank and promotion as if they had continued to serve in their own regiments or corps.

APPROVED, August 5, 1861.

Rank and pay.

When to be discharged.

Officers of regular army so appointed to retain rank, &c.

August 5, 1861.

CHAP. XLVIII. — *An Act supplementary to an Act entitled "An Act to protect the Commerce of the United States, and Punish the Crime of Piracy."*

1819, ch. 77.

Vol. iii. p. 510.

Vessels intended for piratical aggressions may be seized at sea or in port and condemned.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any vessel or boat which shall be built, purchased, fitted out in whole or in part, or held for the purpose of being employed in the commission of any piratical aggression, search, restraint, depredation, or seizure, or in the commission of any other act of piracy, as defined by the law of nations, shall be liable to be captured and brought into any port of the United States if found upon the high seas, or to be seized if found in any port or place within the United States, whether the same shall have actually sailed upon any piratical expedition or not, and whether any act of piracy shall have been committed or attempted upon or from such vessel or boat or not; and any such vessel or boat may be adjudged and condemned, if captured by a vessel authorized as hereinafter mentioned, to the use of the United

States and to that of the captors, and if seized by a collector, surveyor, or marshal, then to the use of the United States, after due process and trial, in like manner as is provided in section four of the act to which this act is supplementary, which section is hereby made in all respects applicable to cases arising under this act. § 4. 1819, ch. 77, Vol. iii. p. 513.

SEC. 2. *And be it further enacted*, That the President of the United States be, and hereby is, authorized to instruct the commanders of the public armed vessels of the United States, and to authorize the commanders of any other armed vessels sailing under the authority of any letters of marque and reprisal granted by the Congress of the United States, or the commanders of any other suitable vessels, to subdue, seize, take, and, if on the high seas, to send into any port of the United States any vessel or boat built, purchased, fitted out, or held, as in the first section of this act mentioned. Commanders of public ships, &c., to be instructed to seize such vessels.

SEC. 3. *And be it further enacted*, That the collectors of the several ports of entry, the surveyors of the several ports of delivery, and the marshals of the several judicial districts within the United States be and are hereby authorized and required to seize any and all vessels or boats built, purchased, fitted out, or held as aforesaid, which may be found within their respective ports or districts, and to cause the same to be proceeded against and disposed of as hereinbefore provided. Collectors, surveyors, and marshals, required to seize such vessels, &c.

APPROVED, August 5, 1861.

CHAP. XLIX. — *An Act to reduce Consular Fees for Vessels running to or between Foreign Ports.* August 5, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That American vessels running regularly by weekly or monthly trips, or otherwise, to or between foreign ports, shall not be required to pay fees to consuls for more than four trips in a year, anything in the law or regulations respecting consular fees to the contrary notwithstanding. Consular fees for certain vessels.

APPROVED, August 5, 1861.

CHAP. L. — *An Act authorizing additional Enlistments in the Navy of the United States.* August 5, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized to cause to be enlisted in the navy of the United States, for the term of three years, or during the war, such number of able seamen, ordinary seamen, and boys, as he may judge necessary and proper, to place the entire navy of the United States, and all vessels that may be added to it, in a state of the utmost efficiency for active service. Enlistments in the Navy.

APPROVED, August 5, 1861.

CHAP. LI. — *An Act making further Appropriation for the Support of the Naval Service for the Year ending June thirtieth, eighteen hundred and sixty-two, and for other Purposes.* August 5, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of thirty thousand dollars be, and the same is, hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the completion of the coal depot at Key West, Florida, and repairs of the wharf belonging to the same. Naval appropriations.

For the completion of the marine barracks at Charlestown, Massachusetts, twelve thousand dollars. Coal depot at Key West. Marine barracks at Charlestown.

For the purchase of the right to manufacture and use Coston's night signals, twenty thousand dollars: *Provided*, That the full right to manu- Coston's night signals.

facture and use the same can be purchased at a price not exceeding that sum.

Ordnance. For the purchase of ordnance for the use of the navy, three hundred thousand dollars.

Fort Abercrombie. For repairing the quarters and outbuildings at Fort Abercrombie, seven thousand dollars.

Volunteers. For collecting, drilling, and organizing volunteers, under the acts authorizing the President to accept the services of five hundred thousand men, twenty millions of dollars.

Secretary of Navy may change the names of purchased vessels. SEC. 2. *And be it further enacted*, That the Secretary of the Navy be, and he is hereby, authorized to change the names of any vessels purchased for the use of the Navy Department by authority of law, and they shall be thereafter known by the names so given them by virtue of this act.

Gunboats for Western rivers. SEC. 3. *And be it further enacted*, That there be, and hereby is, appropriated, in like manner, the sum of one hundred thousand dollars, for the construction and equipment of gunboats for service on the Western rivers.

APPROVED, August 5, 1861.

August 5, 1861. CHAP. LII. — *An Act making Appropriation to pay the Expenses of the Investigating Committees of the House of Representatives and Senate appointed the first Session of the Thirty-seventh Congress, and of the Commission authorized to examine and report as to the Compensation of all Officers of the Government.*

Appropriation for expenses of investigating committees. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be, and hereby is, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of ten thousand dollars, to pay the expenses of the investigating committees of the Senate and House of Representatives appointed at the first session of the Thirty-seventh Congress, and also the expenses of the commission authorized to examine and report as to the compensation of all officers of the Government; said sum of money to be drawn from the Treasury as part of the contingent expenses of the House of Representatives, and to be disbursed in the mode provided by law for such expenses.

How drawn and disbursed.

APPROVED, August 5, 1861.

August 5, 1861. CHAP. LIII. — *An Act authorizing the Construction of twelve small Side-wheel Steamers.*

Twelve small side-wheel steamers. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Navy shall cause to be constructed, with the least possible delay, twelve small side-wheel steamers, for the use of the navy of the United States, of light draught and great speed; and that for the purpose aforesaid twelve hundred thousand dollars be, and the same hereby is, appropriated.

Appropriation.

APPROVED, August 5, 1861.

August 5, 1861. CHAP. LIV. — *An Act making Appropriations for Fortifications and for other Purposes.*

Appropriations for fortifications. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars for contingencies of fortifications, to be used and applied under the direction of the Secretary of War.

When commissioned officers tendering resignations, to be treated as deserters. SEC. 2. *And be it further enacted*, That any commissioned officer of the army, navy, or marine corps, who, having tendered his resignation, shall, prior to due notice of the acceptance of the same by the proper authority, and without leave, quit his post or proper duties with the intent to remain

permanently absent therefrom, shall be registered as a deserter, and punished as such.

SEC. 3. *And be it further enacted*, That flogging as a punishment in the army is hereby abolished. Flogging in the army abolished.

SEC. 4. *And be it further enacted*, That for removing stables and other obstructions from the grounds around the Washington Infirmary, used as an army hospital, and grading said grounds to secure proper drainage of the same, the sum of five thousand dollars be, and the same is hereby appropriated, to be expended under the direction of the surgeon-general of the United States army. Washington Infirmary.

APPROVED, August 5, 1861.

CHAP. LV. — *An Act in Relation to the Office of Attorney of the United States for the Southern District of New York.* August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be paid to the attorney of the United States for the southern district of New York, quarterly, a salary at the rate of six thousand dollars per annum, and such additional sum as shall be necessary, together with the costs and fees now allowed by law to pay such amount as shall be fixed by the Secretary of the Interior for the proper expenses of the office, including salaries of assistants and clerks. Salary of attorney of southern district of New York.
Expenses of office.

SEC. 2. *And be it further enacted*, That the accounts of said attorney, from and after the fourth day of April last, shall be adjusted and settled in the same manner as the same would have been adjusted and settled had this act been in operation on and after that day. Accounts from April 4th, 1861, to be settled by this act.

APPROVED, August 6, 1861.

CHAP. LVI. — *An Act to punish certain Crimes against the United States.* August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person shall be guilty of the act of recruiting soldiers or sailors in any State or Territory of the United States to engage in armed hostility against the United States, or who shall open a recruiting station for the enlistment of such persons, either as regulars or volunteers, to serve as aforesaid, shall be guilty of a high misdemeanor, and upon conviction in any court of record having jurisdiction of the offence, shall be fined a sum not less than two hundred dollars nor more than one thousand dollars, and confined and imprisoned for a period not less than one year nor more than five years. Recruiting soldiers or sailors to serve against the United States punishable.

SEC. 2. *And be it further enacted*, That the person so enlisted, or engaged as regular or volunteer, shall be fined in a like manner a sum of one hundred dollars, and imprisoned not less than one nor more than three years. Those enlisting punishable.

APPROVED, August 6, 1861.

CHAP. LVII. — *An Act to promote the Efficiency of the Engineer and Topographical Engineer Corps, and for other Purposes.* August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to each of the corps of engineers, and topographical engineers, by regular promotion of their present officers, two lieutenant-colonels and four majors. 1863, ch. 78. Post, p. 743.
Increase of field-officers in corps of engineers and topographical engineers.

SEC. 2. *And be it further enacted*, That there shall be added to the corps of topographical engineers one company of soldiers, to be commanded by appropriate officers of said corps, to have the same pay and rations, clothing, and other allowances, and to be entitled to the same benefits in every respect as the company created by the act for the organ- Company of soldiers added to topographical engineers.

1846, ch. 21.
Vol. ix. p. 12.

ization of a company of sappers and miners, and pontoniers, approved May *sixteenth*, [fifteenth] eighteen hundred and forty-six. The said company shall be subject to the rules and articles of war, and shall have the same organization as the companies of engineer soldiers attached to the corps of engineers.

Vacancies in commissioned officers of volunteers, how filled.

SEC. 3. *And be it further enacted*, That vacancies hereafter occurring among the commissioned officers of the volunteer regiments shall be filled by the Governors of the States respectively in the same manner as original appointments. And so much of the tenth section of the act approved

1861, ch. 9, § 10.
Ante, p. 270.

July twenty-second, eighteen hundred and sixty-one, as is inconsistent herewith be, and the same is hereby, repealed.

Two additional inspectors-general authorized.

SEC. 4. *And be it further enacted*, That the President of the United States is hereby authorized to appoint two additional inspectors-general for the United States army; said inspectors-general to have the same rank and receive the same pay and allowances as now provided by law for inspectors-general.

Superintendents of national armories to be ordnance officers.

SEC. 5. *And be it further enacted*, That so much of the first section of the act approved August fifth, eighteen hundred and fifty-four, as authorizes the appointment of civilians to superintend the national armories be, and the same is hereby, repealed, and that the superintendents of these armories shall be appointed hereafter from officers of the Ordnance Department.

1854, ch. 267,
§ 1.

Vol. x. p. 578.

APPROVED, August 6, 1861.

August 6, 1861.

CHAP. LVIII. — *An Act to authorize an Increase in the Corps of Engineers and Topographical Engineers.*

Increase of field officers in corps of engineers and topographical engineers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to each of the corps of engineers and topographical engineers, by regular promotion of their present officers, two lieutenant-colonels and four majors.

Company of soldiers added to topographical engineers.

SEC. 2. *And be it further enacted*, That there shall be added to the corps of topographical engineers one company of soldiers, to be commanded by appropriate officers of said corps, to have the same pay and rations, clothing, and other allowances, and to be entitled to the same benefits in every respect as the company created by the act for the organization of a company of sappers and miners, and pontoniers, approved May *sixteenth*, [fifteenth] eighteen hundred and forty-six. The said company shall be subject to the rules and articles of war, and shall have the same organization as the companies of engineer soldiers attached to the corps of engineers.

1846, ch. 21.
Vol. ix. p. 12.

Two additional inspectors-general authorized.

SEC. 3. *And be it further enacted*, That the President of the United States is hereby authorized to appoint two additional inspectors-general of the United States army, to have the same rank and receive the same pay and allowances as now provided by law for inspectors-general.

APPROVED, August 6, 1861.

August 6, 1861.

CHAP. LIX. — *An Act to provide for holding the District and Circuit Courts in Judicial Districts during a temporary Vacancy of the Judgeship.*

In case of temporary vacancy in office of district judge, in a State where there are two judicial districts, how courts are to be held.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in case of a vacancy in the office of district judge of any judicial district of the United States in any State in which there are two judicial districts, it shall be lawful for the district judge of the other district in said State to hold the district court or circuit court in case of sickness or the absence of the circuit judge, and discharge all the judicial duties of the district judge of such vacant district so long as such vacancy shall continue; and all the acts and proceedings in said courts, or by or before the said district judge of

the adjoining district, shall have the same force, effect, and validity as if done and transacted by and before a judge appointed for such district.

APPROVED, August 6, 1861.

CHAP. LX. — *An Act to confiscate Property used for Insurrectionary Purposes.*

August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if, during the present or any future insurrection against the Government of the United States, after the President of the United States shall have declared, by proclamation, that the laws of the United States are opposed, and the execution thereof obstructed, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the power vested in the marshals by law, any person or persons, his, her, or their agent, attorney, or employé, shall purchase or acquire, sell or give, any property of whatsoever kind or description, with intent to use or employ the same, or suffer the same to be used or employed, in aiding, abetting, or promoting such insurrection or resistance to the laws, or any person or persons engaged therein; or if any person or persons, being the owner or owners of any such property, shall knowingly use or employ, or consent to the use or employment of the same as aforesaid, all such property is hereby declared to be lawful subject of prize and capture wherever found; and it shall be the duty of the President of the United States to cause the same to be seized, confiscated, and condemned.

When property used in aiding insurrection may be confiscated.

SEC. 2. *And be it further enacted,* That such prizes and capture shall be condemned in the district or circuit court of the United States having jurisdiction of the amount, or in admiralty in any district in which the same may be seized, or into which they may be taken and proceedings first instituted.

In what courts to be condemned.

SEC. 3. *And be it further enacted,* That the Attorney-General, or any district attorney of the United States in which said property may at the time be, may institute the proceedings of condemnation, and in such case they shall be wholly for the benefit of the United States; or any person may file an information with such attorney, in which case the proceedings shall be for the use of such informer and the United States in equal parts.

Who to institute proceedings for condemnation, and for whose use.

SEC. 4. *And be it further enacted,* That whenever hereafter, during the present insurrection against the Government of the United States, any person claimed to be held to labor or service under the law of any State, shall be required or permitted by the person to whom such labor or service is claimed to be due, or by the lawful agent of such person, to take up arms against the United States, or shall be required or permitted by the person to whom such labor or service is claimed to be due, or his lawful agent, to work or to be employed in or upon any fort, navy yard, dock, armory, ship, entrenchment, or in any military or naval service whatsoever, against the Government and lawful authority of the United States, then, and in every such case, the person to whom such labor or service is claimed to be due shall forfeit his claim to such labor, any law of the State or of the United States to the contrary notwithstanding. And whenever thereafter the person claiming such labor or service shall seek to enforce his claim, it shall be a full and sufficient answer to such claim that the person whose service or labor is claimed had been employed in hostile service against the Government of the United States, contrary to the provisions of this act.

When claims to persons held to service and labor to be forfeited.

APPROVED, August 6, 1861.

CHAP. LXI. — *An Act relative to Appeals to the Supreme Court of the United States.*

August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases of appeal,

In appeals to federal Supreme Court by both parties, a transcript of the record filed by either party may be used in both appeals.

Federal district attorneys in California may certify, &c., records in land cases.

Effect of such transcript of record.

Such attorneys may employ clerks.

Duty of clerks of courts in such cases.

Penalty.

which have been or may hereafter be duly taken by both parties from the judgment or decree of any district or circuit court to the Supreme Court of the United States, a transcript of the record filed in the Supreme Court of the United States by either party on his appeal may be used on both appeals; and whenever in such cases one record shall have been, or may hereafter be, filed by either party in the said Supreme Court, both appeals shall be heard thereon by the court in the same manner as if records had been filed by the appellants in both cases.

SEC. 2. *And be it further enacted*, That the district attorney of the United States of any district in California may transcribe and certify to the Supreme Court of the United States the records of the district court of his proper district in all land cases wherein the United States is a party, upon which appeals have been or may be taken to the Supreme Court of the United States; and records so certified by such district attorney under his hand, and filed in the Supreme Court of the United States, shall be taken as true and valid transcripts, to the same intent and purpose as if certified by the clerk of the proper district court; and the said district attorneys for the districts of California shall be authorized to employ such clerks, not exceeding three in number, as may be necessary to transcribe such records, at a compensation, for each of such clerks, not exceeding one hundred and fifty dollars per month, which shall be paid out of the appropriation for special and other extraordinary expenses of California land claims; and it shall be the duty of the clerk of any district court in California, on request of the district attorney of that district, to deliver to him the records in the cases before-mentioned on which appeals have been or may be taken, for the purpose of having them transcribed; and upon refusal or failure to do so, such clerk shall forfeit and pay to the United States the sum of five thousand dollars for each offence, to be recovered in an action of debt in any court of competent jurisdiction; and such clerk shall, moreover, be incapable of holding his said office of clerk, or any office under the United States.

APPROVED, August 6, 1861.

August 6, 1861.
1862, ch. 181.
Post, p. 578.

Metropolitan Police District of the District of Columbia established.

Board of Police, who constitute and how appointed.

Quorum.

Appointment.

Term of office.

How qualified.

CHAP. LXII.—*An Act to create a Metropolitan Police District of the District of Columbia, and to establish a Police therefor.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Corporations of Washington and Georgetown, and the county of Washington, outside of the limits of said corporations, are hereby constituted, for the purposes of this act, into one district, to be called "The Metropolitan Police District of the District of Columbia."

SEC. 2. *And be it further enacted*, That immediately upon the passage of this act, and thereafter from time to time, as required by this act, there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, five Commissioners of Police, who shall be the chief officers of the said "Metropolitan Police District," and who shall severally possess and perform therein the powers and duties authorized and enjoined by this act. The said commissioners, together with the mayors of the cities of Washington and Georgetown, ex officio, shall form the board of police for the said district, and a majority of them shall constitute a quorum of such board for the transaction of business.

SEC. 3. *And be it further enacted*, That three of said commissioners shall be appointed from the city of Washington, one from Georgetown and one from the county of Washington at large, for the term of three years, and until their successors are appointed and qualified, unless sooner removed by the President. The said commissioners shall meet at such time and place as may be designated by the President of the United States; and after being duly qualified, by taking and subscribing an oath

or affirmation before some person duly authorized to administer oaths in said District, to support the Constitution of the United States, and faithfully to discharge the duties of his office, shall proceed to discharge such duties as [are] prescribed by this act.

SEC. 4. *And be it further enacted,* That the officers of the board of police shall be a president and a treasurer, who shall each be selected from among said commissioners by themselves, who shall discharge such duties as the board may prescribe. The treasurer shall give a bond, with two sureties, to the satisfaction of said board, in the penal sum of ten thousand dollars, for the faithful discharge of the duties of his office. The board may also appoint a clerk, to hold his office during the pleasure of the board, and to receive a compensation to be fixed by the board, not to exceed the rate of one thousand dollars per annum, and who shall perform such duties as may be required by said board of police.

Officers of board of police.

Bond of treasurer.

Clerk; salary.

SEC. 5. *And be it further enacted,* That it shall be the duty of the board of police hereby constituted, at all times of the day and night, within the boundaries of the said police district, to preserve the public peace; to prevent crime, and arrest offenders; to protect the rights of persons and of property; to guard the public health; to preserve order at every public election; to remove nuisances existing in the public streets, roads, alleys, highways, and other places; to provide a proper police force at every fire, in order that thereby the firemen and property may be protected; to protect strangers and travellers at steamboat and ship landings and railway stations; to see that all laws relating to the observance of Sunday, and regarding pawnbrokers, mock auctions, elections, gambling, intemperance, lottery dealers, vagrants, disorderly persons, and the public health, are promptly enforced, and to enforce and obey all laws and ordinances of the city councils of the cities of Washington and Georgetown which are properly applicable to police or health, and not inconsistent with the provisions of this act.

Duty of board of police.

SEC. 6. *And be it further enacted,* That the duties of the board of police shall be more especially executed under the direction and control of said board, and according to rules and regulations which it is hereby authorized to pass, from time to time, for the proper government and discipline of its subordinate officers, by a police force for the whole of said police district, and authorized to do duty in any part thereof, without regard to residence or corporation lines.

Board may pass rules and regulations.

Police may act throughout the district.

SEC. 7. *And be it further enacted,* That the said police force shall consist of a superintendent of police, ten sergeants of police, and such number of police patrolmen as the board may deem necessary, not exceeding, for the regular service, one hundred and fifty. The said offices hereby created for the said police force shall be severally filled by appointment from the board of police; and each person so appointed shall hold office only during such time as he shall faithfully observe and execute all the rules and regulations of the said board, the laws of the United States, and the laws or ordinances existing within the District, enacted by the city or county authorities within the same, and which laws or ordinances apply to such part of the District where the members of the police force may be on duty.

Police force, of what to consist.

Officers, how appointed; tenure of office.

SEC. 8. *And be it further enacted,* That the qualifications, enumeration, and distribution of duties, mode of trial, and removal from office, of each officer of said police force shall be particularly defined and prescribed by rules and regulations of the board of police, in accordance with the Constitution and laws of the United States applicable thereto: *Provided, however,* That no person shall be so appointed to office, or hold office in the police force aforesaid, who cannot read and write the English language, or who is not a citizen of the United States, or who shall ever have been indicted and convicted of crime: *And provided,* That no person shall be removed therefrom except upon written charges preferred against him to

Qualifications, duties, removal, &c.

Proviso.

Proviso.

the board of police, and after an opportunity shall have been afforded him of being heard in his defence.

Authority of police.

SEC. 9. *And be it further enacted,* That the members of the said police force shall possess, in every part of the District of Columbia, all the common law and statutory powers of constables, except for the service of civil process; and any warrant for search or arrest, issued by any magistrate of said District of Columbia, may be executed in any part of said district by any member of said police force, without any backing or indorsement of the said warrant, and according to the terms thereof; and all the provisions of law in relation to the giving and taking of bail in said district shall apply to this act. The superintendent of police and the sergeants of police, having just cause to suspect that any felony has been, or is being, or is about to be, committed within any building, or on board of any ship, boat or vessel within the said district, may enter upon the same at all hours of day or night, to take all necessary measures for the effectual prevention or detection of all felonies, and may take then and there into custody all persons suspected of being concerned in such felonies, and also may take charge of all property which he or they shall have then and there just cause to suspect has been stolen.

Power to serve warrants.

Bail.

In cases of suspected felony.

District may be divided into precincts.

SEC. 10. *And be it further enacted,* That the board of police may divide the said district into precincts, not exceeding ten, and may assign one sergeant of police to each of said precincts. The board may, from time to time, establish a station or sub-station in each precinct for the accommodation of the police force on duty therein. It may, from time to time, detail and change, without regard to or limitation of residence, the sergeants or patrolmen to such parts of the district, or to such of the police or criminal courts, and to the public offices of the Government of the United States, or of the cities of Washington and Georgetown, as it may deem advisable. It shall promulgate all regulations and orders through the superintendent of police, who shall take the place of the Mayor of the city of Washington or Georgetown, as being the head of the police departments or force in the said cities, but always subject to the orders and regulations of the board of police; and it shall be the duty of the police force to respect and obey the said superintendent of police, as the head and chief of the same, subject to the rules and regulations and general orders of the board of police.

Stations, details for duty.

Orders how promulgated. Superintendent of police, authority, &c. of.

Board of police may employ additional patrolmen,

at whose expense, &c.

SEC. 11. *And be it further enacted,* That the board of police, whenever it shall see fit, shall, on the application of any person or persons, showing the necessity thereof, appoint and swear any additional number of patrolmen to duty at any place within the said district, at the charge and expense of the person or persons by whom the application shall be made, (but not to exceed the yearly sum provided for patrolmen of the force provided by this act as the general police force,) and the patrolmen so appointed shall be subject to the orders of the board of police, and shall obey the rules and regulations of the board, and conform to its general discipline and to such other special regulations as may be made, and shall wear such dress or emblem as the board may direct, and shall, during the term of their holding appointment, possess all the powers, privileges, and duties of the patrol force heretofore prescribed. The persons so employed may be removed at any time by the board of police, without assigning cause thereof, upon one month's notice of the intention so to do, given to the person or persons who applied for the appointment aforesaid.

Special patrolmen; powers and duties.

SEC. 12. *And be it further enacted,* That the board of police may also, upon any emergency of riot, pestilence, invasion, insurrection, or during any day of public election, ceremony or celebration, appoint as many special patrolmen, without pay, from among the citizens as it may deem advisable, and for a specified time, and during the term of service of such special patrolmen, he shall possess all the powers and privileges, and per-

form all the duties of the patrolmen of the standing police force of the District. And such special patrol shall wear an emblem, to be presented by the police commissioners.

Badge.

SEC. 13. *And be it further enacted*, That no member of the police force, under penalty of forfeiting the pay which may be due to him, shall withdraw or resign from the police force, unless he shall have given one month's notice thereof, in writing, to the superintendent of police; and no person who shall ever have been removed from the police force established by this act, for cause, shall be reappointed by the board of police to any office in the said police force.

Resignation of policemen.

Who may not be reappointed.

SEC. 14. *And be it further enacted*, That all stolen property taken by the members of the police force shall be kept in a place and by a person to be designated by the board of police. Every such article of property shall be entered in a book kept for the purpose, together with the name of the owner, if ascertained, and the name of the place where found, and of the person from whom taken, with the general circumstances, and the date of its receipt, and the name of the officer recovering the same. The board of police shall also cause to be kept general complaint books, in which shall be entered every complaint preferred upon personal knowledge of the circumstances thereof, with the name and residence of the complainant. It shall also cause to be kept books of registry of lost, missing, or stolen property, for the general convenience of the public and of the police of the district. It shall also cause to be kept books of records of the police, wherein shall be entered the name of every member of the police force, with his time and place of nativity, and the time when he became a citizen if he was born out of the United States; his age; his former occupation; number and residence of family; the date of appointment or dismissal from office, with the cause of the latter. And in every such record sufficient space shall be left against all such entries, wherein to make record of the number of arrests made by such member of the police force, or of any special services deemed meritorious by the commissioner. It shall also cause to be kept in proper books the accounts of the treasurer of the board, and number of the several meetings thereof, and all receipts of moneys, or warrants or checks for moneys, shall be written in books kept for the purpose, and the said receipts signed by the person or persons in every case receiving money, warrants, or checks from the treasurer. All such books shall be, at all business hours, and when not in actual use, open to public inspection. The board of police shall also cause to be kept and bound all police returns and reports of the district.

Custody of stolen property.

General complaint books.

Registry of lost, &c., property.

Records of police, contents.

Treasurer's account.

Books to be open to public inspection.

Police reports and returns.

SEC. 15. *And be it further enacted*, That it shall be the duty of the common councils of the cities of Washington and Georgetown to provide at the expense of said cities, respectively, all necessary accommodations within their respective limits, for the station-houses required by the board of police, for the accommodation of the police force, for the lodging of vagrants and disorderly persons, and for the temporary detention of persons arrested for offences, and the same suitably to warm and light. In case the said common councils, or either of them, neglect or refuse to do so, after having been thereto requested by the board of police, then the said board may make their own provisions in the premises, and the same, when made, shall become a proper charge and debt for the expenses and disbursements thereof against the said city or cities whose common councils have so neglected or refused to make provision as aforesaid.

Cities of Washington and Georgetown to provide station-houses, &c.

Provision in case the city councils neglect or refuse so to do

SEC. 16. *And be it further enacted*, That in every case of arrest, the same shall be made known within six hours thereafter to the sergeant of police on duty in the precinct in which the arrest is made, by the person making the same; and it shall be the duty of the said sergeant of police, within twelve hours after such notice, to make written return thereof, according to the rules and regulations of the board of police,

In cases of arrest.

together with the name of the party arrested, the offence, the place of arrest, and the place of detention. The board of police shall provide suitable accommodations within said district for the detention of witnesses who are unable to furnish security for their appearance in criminal proceedings, and such accommodations shall be in premises other than those employed for the confinement of those charged with crime, fraud, or disorderly conduct; and it shall be the duty of all magistrates, in committing witnesses, to have regard to the rules and regulations of the board of police in reference to their detention.

Accommodations for detention of witnesses.

Telegraphic apparatus and public police property to be for use of board of police.

SEC. 17. *And be it further enacted,* That all telegraphic apparatus, public police property, books, records, and accoutrements, now in the possession of the police departments of the cities of Washington and Georgetown, are hereby given for the use of the board of police herein authorized; but the ownership of the same, and the use thereof as aforesaid, shall be according to the laws or ordinances which the city councils of said cities, respectively, in which said property is situated have enacted or may hereafter enact.

Expenses of criminal process, how borne.

SEC. 18. *And be it further enacted,* That the necessary expenses incurred in the execution of criminal processes within the said district shall be chargeable to the United States, as under existing laws.

Board of Health may call on police for aid.

SEC. 19. *And be it further enacted,* That the Board of Health, or proper health officer of the city of Washington or of Georgetown, shall have power to call upon any of the police force of the District to a number not exceeding six, to aid him, upon any necessary emergency, in enforcing the powers and duties conferred upon their office by law; and it shall be the duty of any such number of police so called upon to obey him; but such service shall not continue longer than twenty-four hours. The board of police shall at all times, cause the ordinances and laws of the cities of Washington and Georgetown to be properly enforced; and it shall be the duty of said board, at all times, when consistent with the rules and regulations of the board, and with the requirements of this act, to furnish all information desired and comply with all requests made by the city councils of said cities, or by the mayors thereof.

Limit of such service.

Ordinances and by-laws to be enforced.

Board of police may call for military assistance to aid the civil authorities.

SEC. 20. *And be it further enacted,* That the board of police is hereby invested with all the powers now conferred by law upon the mayors of Washington or of Georgetown in respect to ordering military assistance in aid of the civil authorities to quell riots, suppress insurrection, protect the property, and preserve the public tranquillity. The board of police shall have power to issue subpoenas, attested in the name of its president, to compel before it the attendance of witnesses upon any proceeding authorized by its rules and regulations. Each commissioner of police, the superintendent of police, and the clerk of the board of police, are hereby given power to administer, take, receive, and subscribe all affirmations and oaths to any witnesses summoned and appearing in any matter or proceeding authorized, as aforesaid, and to any depositions necessary by the rules and regulations of the board of police. Any wilful and corrupt false swearing by any witness or person making deposition before any of the officers last mentioned, to any material fact in any necessary proceeding under the said rules and regulations, shall be deemed perjury, and punished in the manner now prescribed by law for such offence.

May compel attendance of witnesses.

Who may administer, &c., oaths.

What shall be perjury.

Penalty for using personal violence upon any elector or member of the police, &c.

SEC. 21. *And be it further enacted,* That it shall be a misdemeanor, punishable by imprisonment in the county jail or penitentiary not exceeding two years, or by a fine not exceeding five hundred dollars, for any person without justifiable or excusable cause, to use personal violence upon any elector in said district, or upon any member of the police force thereof when in the discharge of his duty, or for any such member to neglect making any arrest for an offence against the law of the United States committed in his presence, or for any person, not a member of the police force, to falsely represent himself as being such member, with a fraudulent design.

SEC. 22. *And be it further enacted,* That the treasurer of the board of police shall receive a stated salary of six hundred dollars per annum, and each commissioner shall receive an allowance of five dollars per day for each day of actual attendance upon the meetings or business of the board, not to exceed, however, to each commissioner (the treasurer excepted) two hundred and fifty dollars per annum; and no other compensation shall be paid or allowed to the members of the board. The superintendent of police shall receive a salary of fifteen hundred dollars per annum, each sergeant of police six hundred dollars per annum, and each police patrolman forty dollars per month, as compensation for their services, respectively.

Pay of commissioners, treasurer, superintendent, officers and men.

SEC. 23. *And be it further enacted,* That from and after the first meeting of the board of police, under the provisions of this act, it shall possess all the power and authority heretofore conferred by law upon the auxiliary guard of the city of Washington, established by an act entitled "An Act to establish an auxiliary watch for the protection of public and private property in the city of Washington," approved August twenty-three, eighteen hundred and forty-two, and all acts in amendment thereto, and said auxiliary guard or watch is hereby abolished; and said board of police shall also possess all the power and authority heretofore conferred by law upon the mayor or any other officer or officers of the cities of Washington and Georgetown respectively, as the heads therein of the respective police departments or organizations of those cities, which power or authority shall relate to or in any way be connected with the police government or police discipline within either of said cities; and from and after the said first meeting and due organization of said board of police, the duty and authority and power of each and all of the aforementioned officers in relation to the police government, appointment, and discipline, shall wholly cease and vest as aforesaid in the said board of police constituted by this act, except that the mayors of Washington and Georgetown shall be, with the commissioners, members ex-officio of the board of police, and entitled to one vote each at every session thereof when present at its meetings.

Auxiliary guard abolished, &c.

1842, ch. 184. Vol. v. p. 511.

Authority of board of police.

SEC. 24. *And be it further enacted,* That the superintendent of police shall make to the board of police quarterly reports in writing of the state of the police district, with such statistics and suggestions as he may deem advisable for the improvement of the police government and discipline of said district; and the board of police shall annually, on or before the first Monday in November, report in writing the condition of the police within said district to the Secretary of the Interior.

Superintendent of police to make quarterly report.

Board to make annual report.

SEC. 25. *And be it further enacted,* That no member of the board of police, or of the police force, shall receive or share in, for his own benefit, under any pretence whatever, any present, fee, or emolument, for police services, other than the regular salary and pay provided by this act, except by consent of the board of police.

Board of police and police, not to receive fees, &c., unless, &c.

SEC. 26. *And be it further enacted,* That all rewards, fees, proceeds of gifts, and emoluments that may be allowed by the board of police to be paid and given for extraordinary services of any member of the police force, and all moneys arising from the sale of unclaimed goods, shall constitute the "policeman's fund," of which the board of police shall be the trustee, and may invest as they shall see fit. And whenever any member of the police force, in the actual discharge of his duty, shall become bodily disabled, his necessary expenses, on the certificate of a competent surgeon, stating the manner, cause, and condition of the injury, and approved by the board of police, during the time of his disabling, as aforesaid, continues, may become a charge upon the said fund. But the board of police may discontinue said allowance for any satisfactory reason.

Rewards, &c., to constitute the "Policeman's fund."

Who may enjoy the fund.

SEC. 27. *And be it further enacted,* That the board of police shall require and make suitable provisions respecting security to be entered into

Board to make regulations as to

security to be given by the superintendent, &c. and as to an oath of office.

Appropriation.

1861, ch. 44.
Ante, p. 144.

Repealing clause.

by the superintendent of police and by the sergeants of police, and for the taking by members of the police force of an oath of office, and the registry of the same, which oath of office may be taken before any commissioner of police, who is hereby empowered to administer the same.

SEC. 28. *And be it further enacted*, That there be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of carrying this act into effect, including the payment of salaries and all other necessary charges and expenses of the "Metropolitan Police," for the year ending June thirty, eighteen hundred and sixty-two, in addition to the balance of the appropriation made by the act approved February twenty, eighteen hundred and sixty [one,] "for the compensation of the auxiliary guard, and one lieutenant, and for fuel, oil, and lamps, and for twenty policemen," which balance is hereby directed to be applied to the purposes of this act, the sum of sixty thousand dollars.

SEC. 29. *And be it further enacted*, That all statutes, parts of statutes, and provisions of law inconsistent with the provisions of this act, are hereby repealed.

APPROVED, August 6, 1861.

August 6, 1861.

CHAP. LXIII. — *An Act to increase the Pay of the Privates in the Regular Army and in the Volunteers in the Service of the United States, and for other Purposes.*

Pay of privates in regular army.
Post, p. 594.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the pay of the privates in the regular army and volunteers in the service of the United States be thirteen dollars per month for three years from and after the passage of this act and until otherwise fixed by law.

When pay of volunteers to commence.
1861, ch. 16.
Ante, p. 274.

SEC. 2. *And be it further enacted*, That the provisions of the act entitled "An Act for the Relief of the Ohio and other Volunteers," approved July twenty-fourth, eighteen hundred and sixty one, be and the same are hereby extended to all volunteers mustered into the service of the United States, whether for one, two, or three years, or for and during the war.

Acts, proclamations, and orders of the President legalized.
Procl. Nos. 3-7.
Post, pp. 1258-1261.

SEC. 3. *And be it further enacted*, That all the acts, proclamations, and orders of the President of the United States after the fourth of March, eighteen hundred and sixty-one, respecting the army and navy of the United States, and calling out or relating to the militia or volunteers from the States, are hereby approved and in all respects legalized and made valid, to the same intent and with the same effect as if they had been issued and done under the previous express authority and direction of the Congress of the United States.

APPROVED, August 6, 1861.

August 6, 1861.

CHAP. LXIV. — *An Act requiring an Oath of Allegiance, and to Support the Constitution of the United States, to be administered to certain Persons in the civil Service of the United States.*

Persons in the civil service of the government to take oath of allegiance.

Form of oath.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the heads of the several departments to cause to be administered to each and every officer, clerk, or employé, now in their respective departments, or in any way connected therewith, or who shall hereafter in any way become connected therewith, the following oath, viz.: "I do solemnly swear (or affirm, as the case may be) that I will support, protect, and defend the Constitution and Government of the United States against all enemies, whether domestic or foreign, and that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State Convention or Legislature to the contrary notwithstanding; and, further, that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever; and, further, that

I will well and faithfully perform all the duties which may be required of me by law. So help me God." And that each and every such civil officer and employé, in the departments aforesaid, or in any way connected therewith, in the service or employment of the United States, who shall refuse to take the oath or affirmation herein provided, shall be immediately dismissed and discharged from such service or employment.

Penalty for refusal to take the oath.

SEC. 2. *And be it further enacted*, That the oath or affirmation, herein provided for in the first section of this act, may be taken before any justice of the peace, or notary public, or other person who is legally authorized to administer an oath in the State or District where the same may be administered. And that any violation of such oath by any person or persons taking the same shall subject the offender to all the pains and penalties of wilful and corrupt perjury, who shall be liable to be indicted and prosecuted to conviction for any such offence before any court having competent jurisdiction thereof: *And provided further*, That such offender shall be forthwith discharged from such service or employment.

Before whom oath may be taken.

Violation of oath to subject offender to penalties of perjury, and discharge from service.

APPROVED, August 6, 1861.

CHAP. LXV. — *An Act explanatory of an Act entitled "An Act concerning the Attorney-General and the Attorneys and Marshals of the several Districts."*

August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the act of which this act is explanatory shall be construed to repeal, modify, or in any way affect any law, now in force, defining or regulating the duties of the Solicitor of the Treasury.

Solicitor of Treasury not affected by act 1861, ch. 37. *Ante*, p. 285.

APPROVED, August 6, 1861.

CHAP. LXVI. — *An Act to provide for the Repairs of the Long Bridge across the Potomac River.*

August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty thousand dollars be, and the same is hereby, appropriated for the repair of the present Long Bridge across the Potomac River.

Appropriation. Repairs of Long Bridge.

APPROVED, August 6, 1861.

CHAP. LXVII. — *An Act authorizing the Secretary of War to pay the Volunteers, who, under the Command of Charles W. White, and by Order of Brigadier-General T. A. Morris, enlisted to protect the Railroad Bridges and other Property, in the Vicinity of Oakland, Alleghany County, Maryland.*

August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the commissioned officers, non-commissioned officers, musicians, and privates who served as a Home Guard for the protection of the railroad bridge and other property, near Oakland, Alleghany County, Maryland, under command of Captain Charles W. White, and were called into service by order of Brigadier-General T. A. Morris, and to make to them just and reasonable compensation for the failure of the officer of the Government of the United States to furnish to them rations, clothing, and other supplies during their service: *Provided*, the amount to be paid shall not exceed the amount to which, for similar service, and like rations, clothing, and supplies, volunteers, regularly mustered into service under the President's proclamation of May third, one thousand eight hundred and sixty-one, would be equitable entitled.

Certain volunteers in Alleghany county, Maryland, to be paid.

Proviso.

APPROVED, August 6, 1861.

RESOLUTIONS.

July 24, 1861. [No. 1.] *Joint Resolution authorizing the Appointment of Examiners to examine a Steam Floating Battery at Hoboken, New Jersey.*

Examination
of Iron Steam
Battery at Hobo-
ken.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be authorized to appoint a board of examiners to examine the iron steam battery now building at Hoboken, New Jersey, and ascertain what will be the cost of completing the same, how soon it can be completed, and the expediency thereof, and report thereon for the next meeting of Congress.
APPROVED, July 24, 1861.

July 27, 1861. [No. 2.] *A Resolution relative to the Exhibition of the Industry of all Nations to be holden in London in the year eighteen hundred and sixty-two.*

Industrial Ex-
hibition at Lon-
don.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he hereby is, authorized to take such measures as shall to him seem best to facilitate a proper representation of the industrial interests of the United States at the exhibition of the industry of all nations to be holden at London in the year eighteen hundred and sixty-two; and the sum of two thousand dollars is hereby appropriated for the incidental expenses thereof.
APPROVED, July 27, 1861.

August 5, 1861. [No. 8.] *A Resolution requesting the President of the United States to recommend a Day of Public Humiliation, Fasting, and Prayer.*

Public Fast.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a joint committee of both Houses wait on the President of the United States and request that he recommend a day of public humiliation, prayer, and fasting, to be observed by the people of the United States with religious solemnity, and the offering of fervent supplications to Almighty God for the safety and welfare of these States, His blessings on their arms, and a speedy restoration of peace.
APPROVED, August 5, 1861.

August 6, 1861. [No. 5.] *A Resolution authorizing an Examination of James' Projectiles for rifled Cannon.*

An ordinary
navy gun to be
rifled by Mr.
James, and tested
with rifled pro-
jectiles.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized to allow Charles T. James, of Providence, Rhode Island, to rifle one of the large ordinary navy guns made for throwing round shot, and to have it tested sufficiently to settle the question of its capacity to use rifled projectiles without danger; and also to direct such experiments as may be sufficient to ascertain the relative and comparative value of said projectile and cannon thus rifled.
APPROVED, August 6, 1861.

PUBLIC ACTS OF THE THIRTY-SEVENTH CONGRESS

OF THE

UNITED STATES,

Passed at the second session which was begun and held at the City of Washington, in the District of Columbia, on Monday, the second day of December, A. D. 1861, and ended on Thursday, the seventeenth day of July, A. D. 1862.

ABRAHAM LINCOLN, President. HANNIBAL HAMLIN, Vice-President, and President of the Senate. SOLOMON FOOTE was elected President of the Senate, *pro tempore*, on the thirty-first day of March, and so acted until the twenty-first day of May inclusive; he was again elected on the twentieth day of June, and continued so to act until the end of the session. GALUSHA A. GROW, Speaker of the House of Representatives.

CHAP. I. — *An Act to further promote the Efficiency of the Navy.*

Dec. 21, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the name of any naval officer now in the service, or who may hereafter be in the service of the United States, shall have been borne on the Naval Register forty-five years, or shall be of the age of sixty-two years, he shall be retired from active service, and his name entered on the retired list of officers of the grade to which he belonged at the time of such retirement.

1863, ch. 94, § 1
Post, p. 769.
What naval officers to be retired.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to assign any officer who may be retired under the preceding section of this act to shore duty, and such officer thus assigned shall receive the full shore pay of his grade while so employed.

When assigned to shore duty.

Pay.

SEC. 3. *And be it further enacted,* That the President of the United States, by, and with the advice and consent of the Senate, shall have the authority to detail from the retired list of the navy for the command of squadrons and single ships such officers as he may believe that the good of the service requires to be thus placed in command; and such officers may, if upon the recommendation of the President of the United States they shall receive a vote of thanks of Congress for their services and gallantry in action against an enemy, be restored to the active list and not otherwise.

When detailed to command squadrons or ships.

When may be restored to active list.

SEC. 4. *And be it further enacted,* That the President of the United States shall have the authority to select any officer from the grades of captain or commander in the navy and assign him to the command of a squadron with the rank and title of a "flag officer;" and any officer thus assigned shall have the same authority and receive the same obedience from the commanders of ships in his squadron holding commissions of an older date than his that he would be entitled to receive were his commission the oldest; and to receive, when so employed, the pay to which he would have been entitled if he were on the active list of the navy.

Who may be "Flag officer."

Authority.

Pay.

SEC. 5. *And be it further enacted,* That all officers retired under the provisions of this act shall receive the retired pay of their respective grades as fixed by law.

Pay of retired officers.

Promotions.

SEC. 6. *And be it further enacted*, That promotions shall be made in place of the officers retired under the provisions of this bill as is now provided by law.

"Medals of honor" to be prepared.

SEC. 7. *And be it further enacted*, That the Secretary of the Navy be, and is hereby, authorized to cause two hundred "medals of honor" to be prepared, with suitable emblematic devices, which shall be bestowed upon such petty officers, seamen, landsmen, and marines as shall most distinguish themselves by their gallantry in action and other seamanlike qualities during the present war, and that the sum of one thousand dollars be, and the same is hereby, appropriated out of any money in the Treasury, for the purpose of carrying this section into effect.

Appropriation.

Hours of labor in navy yards.

Rate of wages.

Post, p. 587.

SEC. 8. *And be it further enacted*, That the hours of labor in the navy yards of the United States shall be the same as in the private ship yards at or nearest to the post where such navy yard is established, and the wages to be paid to all employés in such yards shall be, as near as may be, the average price paid to employés of the same grade in private ship yards or workshops in or nearest to the same vicinity, to be determined by the commandant of the navy yard.

APPROVED, December 21, 1861.

Dec. 24, 1861.

CHAP. II. — *An Act to increase the Duties on Tea, Coffee, and Sugar.*

Post, p. 611.

Duties on

Teas.

Coffee.

Sugar.

Ante, pp. 179, 194.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the date of the passage of this act, in lieu of the duties heretofore imposed by law on articles hereinafter mentioned, there shall be levied, collected, and paid on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say: First. On all teas, twenty cents per pound. Second. On coffee of all kinds, five cents per pound. Third. On raw sugar, commonly called Muscovado or brown sugar, and on sugars not advanced above number twelve, Dutch standard, by claying, boiling, clarifying, or other process, and on sirup of sugar or of sugar cane, and concentrated molasses or concentrated melado, two cents and a half per pound, and on white and clayed sugar, when advanced beyond the raw state, above number twelve, Dutch standard, by clarifying or other process, and not yet refined, three cents per pound; on refined sugars, whether loaf, lump, crushed, or pulverized, five cents per pound; on sugars after being refined, when they are tintured, colored, or in any way adulterated, and on sugar candy, eight cents per pound; on molasses, six cents per gallon: *Provided*, That all sirups of sugar or of sugar cane, concentrated molasses or concentrated melado, entered under the name of molasses, or any other name than sirup of sugar or of sugar cane, concentrated molasses or concentrated melado, shall be liable to forfeiture to the United States, and the same shall be forfeited.

APPROVED, December 24, [1861.]

Dec. 24, 1861.

CHAP. III. — *An Act relative to Courts-Martial in the Army.*

General courts-martial, who may appoint, &c.

Sentences

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in time of war the commander of a division or separate brigade may appoint general courts-martial, and confirm, execute, pardon, and mitigate their sentences, as allowed and restrained in the sixty-fifth and eighty-ninth articles of war to commanders of armies and departments: *Provided*, That sentences of such courts extending to loss of life or dismissal of a commissioned officer shall require the confirmation of the general commanding the army in the field to which the division or brigade belongs: *And provided further*

That when the division or brigade commander shall be the accuser or prosecutor, the court shall be appointed by the next higher commander. Prosecutor not to appoint court.

APPROVED, December 24, 1861.

CHAP. IV.—*An Act to provide for Allotment Certificates among the Volunteer Forces.* Dec. 24, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States shall appoint, for each State having volunteers in the United States service, not exceeding three persons, who shall be authorized by the President's commission to visit the several departments of the army in which volunteers from their respective States may be, and there procure from said volunteers from time to time their respective allotments of their pay to their families or friends, duly certified in writing, and by them, or by some commissioned officer of such department, attested in pursuance of such orders as may be made for that purpose by the Secretary of War, and upon which certified allotment the several paymasters shall, at each regular payment to troops, give drafts payable in the city of New York, to the order of such persons to whom said allotments were or may be made. The President to appoint commissioners from each State to procure certified allotments of volunteers from such State.

SEC. 2. *And be it further enacted,* That the persons appointed as commissioners to carry into effect the preceding section of this act shall receive no pay or emoluments whatever from the Treasury of the United States. Allotments, how paid.

SEC. 3. *And be it further enacted,* That the fifth section of the act of twelfth June, eighteen hundred and fifty-eight, giving sutlers a lien upon the soldier's pay, be and the same is hereby repealed; and all regulations giving sutlers rights and privileges beyond the rules and articles of war be, and the same are hereby, abrogated. Commissioners to receive no pay, &c.

APPROVED, December 24, 1861.

CHAP. V.—*An Act making an Appropriation for Gunboats on the Western Rivers.* Dec. 24, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one million of dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for gunboats on the Western rivers. Sutler's lien on soldier's pay repealed.

APPROVED, December 24, 1861.

CHAP. VI.—*An Act making Appropriations for the Payment of Invalid and other Pensions of the United States for the Year ending the thirtieth of June, eighteen hundred and sixty-three.* January 8, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the year ending the thirtieth of June eighteen hundred and sixty-three: Appropriation.

For invalid pensions under various acts, six hundred and forty thousand dollars. Invalid pensions.

For pensions under acts of eighteenth March, eighteen hundred and eighteen, fifteenth May, eighteen hundred and twenty-eight, and seventh June, eighteen hundred and thirty-two, twenty-five thousand dollars. 1818, ch. 19.
1828, ch. 53.
1832, ch. 126.

For pensions to widows of those who served in the Revolutionary war, under the third section of the act of fourth July, eighteen hundred and thirty-six, the acts of seventh July, eighteen hundred and thirty-eight, third March, eighteen hundred and forty-three, seventeenth June, eighteen hundred and forty-four, second February and twenty-ninth July, eighteen hundred and forty-eight, and second section act of third February, eighteen hundred and fifty-three, two hundred thousand dollars. Pensions to widows.
1836, ch. 362.
1838, ch. 189.
1843, ch. 102.
1844, ch. 144.
1848, ch. 8 & 120
1853, ch. 41.

Widows and orphans.

1848, ch. 108.
1858, ch. 85.

For pensions to widows and orphans, under first section act fourth July, eighteen hundred and thirty-six, act of twenty-first July, eighteen hundred and forty-eight, first section act of third February, eighteen hundred and fifty-three, and act third June, eighteen hundred and fifty-eight, three hundred and forty thousand dollars.

Navy invalid pensions.
Navy pensions.
1848, ch. 155.
Privateer.

For navy invalid pensions, forty-five thousand dollars.

For navy pensions to widows and orphans, under act of eleventh August, eighteen hundred and forty-eight, two hundred thousand dollars.

Pensions not to be paid to those in rebellion, &c.

For privateer invalid pensions, six hundred dollars: *Provided*, That no pension shall be paid under this act to any person who has been engaged in the present rebellion against the Government of the United States, or who has in any way given aid and comfort to those engaged in the rebellion.

APPROVED, January 8, 1862.

January 21, 1862.

CHAP. VIII. — *An Act to promote the Efficiency of the Dead Letter Office.*

Post, pp. 364, 381, 408.

All dead letters to be returned to writers except, &c.
1862, ch. 71, §§ 7, 8.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be authorized to return all dead letters, except those containing circulars and other worthless matter, to their writers, whenever their names can be ascertained. All valuable letters to be charged treble, and all others double, the ordinary rate of postage, to be collected from the writers.

Postage thereon.
Post, pp. 702, 703.

SEC. 2. *And be it further enacted*, That, to enable this to be done, the Postmaster-General is authorized to employ not exceeding twenty-five additional clerks, at salaries not exceeding an average of eight hundred dollars per year, and no one to receive over twelve hundred dollars per year: *Provided*, He is satisfied that the receipts for dead letter postage will amount to a sum sufficient to pay the aggregate compensation of the said clerks. And he shall report to the next session of Congress the additional income from this source, with its cost and statistical results.

Additional clerks.

APPROVED, January 21, 1862.

How to be paid.
Report to Congress.

January 21, 1862.

CHAP. IX. — *An Act in Relation to the Letters of Sailors and Marines in the Service of the United States.*

Letters sent by sailors and marines need not be prepaid.

1861, ch. 9, § 11.
Act, pp. 270, 271.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act of July twenty-second, eighteen hundred and sixty-one, authorizing soldiers to send letters through the mails of the United States without prepayment of postage, is hereby extended to the sailors and marines in the actual service of the United States, under such regulations as the Post Office Department shall provide, the postage thereon to be paid by the recipients.

APPROVED, January 21, 1862.

January 22, 1862.

CHAP. X. — *An Act to authorize the President to appoint two additional Assistant Secretaries of War.*

Two additional Secretaries of War for one year.
Salaries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby authorized to appoint, by and with the advice and consent of the Senate, two additional Assistant Secretaries of War, whose salary shall each be three thousand dollars per annum, who shall perform all such duties in the office of the Secretary of War belonging to that department as shall be prescribed by the Secretary of War, or as may be required by law. The offices of these additional Secretaries to continue for one year.

APPROVED, January 22, 1862.

CHAP. XI. — *An Act amending the Provisions of the second Section of the Act of January twenty-fourth, eighteen hundred and fifty-seven, enforcing the Attendance of Witnesses before Committees of either House of Congress.* January 24, 1862.
1857, ch. 19, § 2.
Vol. xi. p. 156.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the second section of the act entitled "An act more effectually to enforce the attendance of witnesses on the summons of either House of Congress, and to compel them to discover testimony," approved January twenty-fourth, eighteen hundred and fifty-seven, be amended, altered, and repealed, so as to read as follows: That the testimony of a witness examined and testifying before either House of Congress, or any committee of either House of Congress, shall not be used as evidence in any criminal proceeding against such witness in any court of justice: *Provided, however,* That no official paper or record, produced by such witness on such examination, shall be held or taken to be included within the privilege of said evidence so to protect such witness from any criminal proceeding as aforesaid; and no witness shall hereafter be allowed to refuse to testify to any fact, or to produce any paper touching which he shall be examined by either House of Congress, or any committee of either House, for the reason that his testimony touching such fact, or the production of such paper, may tend to disgrace him or otherwise render him infamous: *Provided,* That nothing in this act shall be construed to exempt any witness from prosecution and punishment for perjury committed by him in testifying as aforesaid.

Testimony of witness before committees, &c., not to be used against him, &c.

Proviso. Official paper or record. Witness not privileged, &c.

Proviso. Witness may be punished for perjury.

APPROVED, January 24, 1862.

CHAP. XII. — *An Act authorizing an Increase of the Clerical Force in the War and Navy Departments.* January 27, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the clerical and other force now authorized by law in the War Department and its bureaus, the Secretary of War is hereby authorized to appoint as follows: In the office of the Secretary of War, four clerks of class one; in the office of the Adjutant General, eighteen clerks of class one, and two messengers; in the office of the Quartermaster General, ten clerks of class one, and one messenger; in the office of the Surgeon General, two clerks of class one, and one laborer; in the office of the Paymaster General, eight clerks of class one, and one messenger; in the office of the Chief of Engineers, one clerk of class one; in the office of the Chief of Ordnance, three clerks of class one; in the office of the Commissary General, three clerks of class one, and one laborer. And the Adjutant General is authorized to employ in his office any number, not exceeding ten, of non-commissioned officers, to be selected by him from the army, in addition to his present clerical force.

Additional clerks in the War Department.

Post, pp. 362, 368.

SEC. 2. *And be it further enacted,* That the Secretary of the Navy be authorized to employ four additional clerks of class one for that Department.

in the Navy Department.

APPROVED, January 27, 1862.

CHAP. XIII. — *An Act to provide for the Protection of Overland Emigrants to California, Oregon, and Washington Territory.* January 27, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the protection of emigrants on the overland routes between the Atlantic States and California, Oregon, and Washington Territory, the sum of twenty-five thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, if, in his judgment, the same may be necessary.

Emigrants on overland routes, appropriation to protect.

APPROVED, January 27, 1862.

January 31, 1862. CHAP. XIV. — *An Act to pay the Expenses of the special Committee of the House of Representatives, appointed July eighth, eighteen hundred and sixty-one, to ascertain and report in regard to Contracts with any Department of the Government for Provisions, Supplies, Transportation, &c.*

Appropriation for special committee on contracts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of ten thousand dollars, or so much thereof as may be necessary, to pay the expenses of the special committee of the House of Representatives appointed on the eighth day of July, eighteen hundred and sixty-one, to ascertain and report in regard to contracts made with any Department of the Government for provisions, supplies, transportation, &c.; and said sum shall be drawn from the Treasury upon the order of the Sergeant-at-Arms of the House of Representatives, as the same shall be required from time to time by the committee having such investigation in charge.

APPROVED, January 31, 1862.

January 31, 1862. CHAP. XV. — *An Act to authorize the President of the United States in certain Cases to take Possession of Railroad and Telegraph Lines, and for other Purposes.*
Post, p. 625.

Railroad and telegraph lines may be taken possession of,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, when in his judgment the public safety may require it, be, and he is hereby authorized to take possession of any or all the telegraph lines in the United States, their offices and appurtenances; to take possession of any or all the railroad lines in the United States, their rolling-stock, their offices, shops, buildings, and all their appendages and appurtenances; to prescribe rules and regulations for the holding, using, and maintaining of the aforesaid telegraph and railroad lines, and to extend, repair, and complete the same, in the manner most conducive to the safety and interest of the Government; to place under military control all the officers, agents, and employes belonging to the telegraph and railroad lines thus taken possession of by the President, so that they shall be considered as a post road and a part of the military establishment of the United States, subject to all the restrictions imposed by the rules and articles of war.

may be used, extended, &c., and placed under military control.

Obstructing, or attempting to obstruct the government in the use thereof — how punished.

SEC. 2. *And be it further enacted,* That any attempt by any party or parties whomsoever, in any State or District in which the laws of the United States are opposed, or the execution thereof obstructed by insurgents and rebels against the United States, too powerful to be suppressed by the ordinary course of judicial proceedings, to resist or interfere with the unrestrained use by Government of the property described in the preceding section, or any attempt to injure or destroy the property aforesaid, shall be punished as a military offence, by death, or such other penalty as a court-martial may impose.

Commissioners to determine damages.

SEC. 3. *And be it further enacted,* That three commissioners shall be appointed by the President of the United States, by and with the advice and consent of the Senate, to assess and determine the damages suffered, or the compensation to which any railroad or telegraph company may be entitled by reason of the railroad or telegraph line being seized and used under the authority conferred by this act, and their award shall be submitted to Congress for their action.

Transportation of troops, &c. to be under control of Secretary of War.

SEC. 4. *And be it further enacted,* That the transportation of troops, munitions of war, equipments, military property and stores, throughout the United States, shall be under the immediate control and supervision of the Secretary of War and such agents as he may appoint; and all rules, regulations, articles, usages, and laws in conflict with this provision are hereby annulled.

Pay of commissioners. Act, how long in force.

SEC. 5. *And be it further enacted,* That the compensation of each of the commissioners aforesaid shall be eight dollars per day while in actual service; and that the provisions of this act, so far as it relates to the

operating and using said railroads and telegraphs, shall not be in force any longer than is necessary for the suppression of this rebellion.

APPROVED, January 31, 1862.

CHAP. XVII. — *An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth June, eighteen hundred and sixty-two.* February 4, 1862

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three, namely:

For salaries of Envoys Extraordinary, Ministers, and Commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Austria, Brazil, Mexico, China, Italy, Chili, Peru, Portugal, Switzerland, Rome, Belgium, Holland, Denmark, Sweden, Turkey, New Granada, Bolivia, Ecuador, Venezuela, Guatemala, Nicaragua, Sandwich Islands, Costa Rica, Honduras, Argentine Confederation, Paraguay, and Japan, three hundred and one thousand dollars.

For salaries of Secretaries of Legation, forty-three thousand three hundred and fifty dollars.

For salaries of Assistant Secretaries of Legation at London and Paris, three thousand dollars.

For salary of the Interpreter to the Legation to China, five thousand dollars.

For salary of the Secretary of Legation to Turkey, acting as Interpreter, three thousand dollars.

For salary of the Interpreter to the Legation to Japan, two thousand five hundred dollars.

For compensation to an Interpreter to the Consulate at Kanagawa, fifteen hundred dollars.

For contingent expenses of all the missions abroad, fifty thousand dollars.

For contingent expenses of foreign intercourse, one hundred thousand dollars.

For expenses of intercourse with the Barbary Powers, three thousand dollars.

For expenses of the Consulates in the Turkish dominions, namely, interpreters, guards, and other expenses of the Consulates at Constantinople, Smyrna, Candia, Alexandria, and Beirut, two thousand five hundred dollars.

For the relief and protection of American seamen in foreign countries, two hundred thousand dollars.

For expenses which may be incurred in acknowledging the services of the masters and crews of foreign vessels in rescuing citizens of the United States from shipwreck, seven thousand five hundred dollars.

For the purchase of blank books, stationery, arms of the United States, seals, presses, flags, postages, and for the payment of miscellaneous expenses of the Consuls of the United States, including the preservation of the archives of the Consulates, forty-five thousand dollars.

For office rent for those Consuls General, Consuls, and Commercial Agents, who are not allowed to trade, including loss by exchange thereon, twenty-seven thousand three hundred and seventy dollars.

For salaries of Consuls General at Quebec, Calcutta, Alexandria, Havana, Constantinople, Frankfort-on-the-Main; Consuls at Kanagawa and Nangasaki, in Japan, Liverpool, London, Melbourne, Hong Kong, Glasgow, Mauritius, Singapore, Belfast, Cork, Dundee, Demarara, Halifax,

Consular and diplomatic appropriation.

Envoys, Ministers, and Commissioners.

Secretaries of Legation, &c.

Contingent expenses of foreign intercourse.

Barbary Powers.

Turkish Consulates.

Relief, &c. of Seamen.

Blank books, &c.

Office rent of Consuls-General, &c.

Salaries of Consuls General and Consuls.

Kingston (Jamaica), Leeds, Manchester, Nassau (New Providence), Southampton, Turk's Island, Prince Edward's Island, Havre, Paris, Marseilles, Bordeaux, La Rochelle, Lyons, Moscow, Odessa, Revel, St. Petersburg, Matanzas, Trinidad de Cuba, Santiago de Cuba, San Juan (Porto Rico), Cadiz, Malaga, Ponce (Porto Rico), Trieste, Vienna, Aix-la-Chapelle, Canton, Shanghai, Fouchou, Amoy, Ningpo, Beirut, Smyrna, Jerusalem, Rotterdam, Amsterdam, Antwerp, Funchal, Oporto, Saint Thomas, Elsinour, Genoa, Basle, Geneva, Messina, Naples, Palermo, Leipsic, Munich, Leghorn, Stuttgart, Bremen, Hamburg, Tangiers, Tripoli, Tunis, Rio de Janeiro, Pernambuco, Vera Cruz, Acapulco, Callao, Valparaiso, Buenos Ayres, San Juan del Sur, Aspinwall, Panama, Lagayra, Honolulu, Lahaina, Capetown, Falkland Islands, Venice, Stettin, Candia, Cyprus, Batavia, Fayal, Santiago (Cape de Verdes), Saint Croix, Spezzia, Athens, Zanzibar, Bahia, Maranh Island, Para, Rio Grande, Matamoras, Mexico (city), Tampico, Paso del Norte, Tabasco, Paita, Tumbez, Talcahuano, Carthagena, Sabanillo, Omoa, Guayaquil, Cobija, Montevideo, Tahiti, Bay of Islands, Apia, Lanthala, Bristol, Cardiff, Malta, St. John (Newfoundland), St. John (New Brunswick), Pictou (Nova Scotia), La Union, Barbadoes, Bermuda, Antigua, Nantes, Napoleon Vendee, Nice, Lisbon, Gottenburg, Tehuantepec, Santos, St. Catherine, Balize, Gaspé Basin, Valencia, Port Mahon, Martinique, Taranto, Santander, Galatz, Bilbao, Scio, Paramaribo, Macao, Stockholm, Ancona, Otranto, Swatow, La Paz, Bergen, Trinidad, Barcelona, Quebec, Maricao, Algiers, Port au Prince, San Domingo (city), Monrovia, Cape Haytien, Aux Cayes, and New Castle-upon-Tyne; Commercial Agents at San Juan del Norte, St. Paul de Loanda (Angola), Gaboon, St. Marc, Curaçoa, and Amoor River, three hundred and fifty-one thousand five hundred and fifty dollars. And the salary of the Consul at Bremen shall be three thousand dollars, to commence on the first day of January, eighteen hundred and sixty-two; and the Consul at Pictou (Nova Scotia) shall receive a salary of fifteen hundred dollars, to commence on the first day of January, eighteen hundred and sixty-two; and the salary of the Consul at Swatow shall be thirty-five hundred dollars, to commence on the twenty-first day of September, eighteen hundred and sixty; and the Consul at Port Mahon shall receive a salary of fifteen hundred dollars: *Provided*, That all consular officers whose respective salaries exceed one thousand dollars per annum shall be subject to the provisions of the fifth section of the act to regulate the diplomatic and consular systems of the United States, approved August eighteen, eighteen hundred and fifty-six; and their respective Consulates shall be included in schedule B, of the list of salaried Consulates: *And provided further*, That no appointments of Consuls shall hereafter be made, nor the compensation of Consuls raised, under the act of August two, eighteen hundred and sixty-one, except to the places herein mentioned. And the Consul at New Castle-upon-Tyne shall receive a salary of fifteen hundred dollars per annum, commencing on the first day of January, eighteen hundred and sixty-two.

For Interpreters to the Consulates in China, four thousand five hundred dollars.

For salaries of the marshals for the Consular Courts in Japan, China, Siam, and Turkey, seven thousand dollars.

For rent of prisons for American convicts in Japan, China, Siam, and Turkey, and for wages of the keepers of the same, nine thousand dollars.

SEC. 2. *And be it further enacted*, That the following sums be and the same are hereby appropriated for the service of the year ending the thirtieth June, eighteen hundred and sixty-two, namely:

For compensation and increased salaries to sundry Consuls, under the act of second August, eighteen hundred and sixty-one, fifty-four thousand one hundred and eleven dollars and ninety-seven cents.

Salary of Consul at Bremen,

at Pictou,

at Swatow,

at Port Mahon.

Consular officers whose salaries exceed \$1000 not to engage in mercantile business.

1856, ch. 127, § 5.

Vol. xi. p. 55.

Provide.

1861, ch. 35.

Ante, p. 285.

Salary of Consul at New Castle-upon-Tyne.

Interpreters in China.

Marshals in Consular Courts.

Prisons in Japan, &c.

Appropriation for 1862.

Increased pay to certain Consuls.

To meet an extraordinary emergency which has arisen in bringing from Sidney, New South Wales, eight seamen, belonging to the ship "Junior," charged with the crimes of mutiny and murder, a guard of seven men, and also eleven of the crew as witnesses, fifteen thousand and seven dollars and ninety-two cents, or so much thereof as may be just and fair; said sum to be expended under the direction of the Secretary of State.

Seamen of ship Junior.

APPROVED, February 4, 1862.

CHAP. XVIII. — *An Act authorizing the Secretary of the Interior to strike from the Pension Rolls the Names of such Persons as have taken up Arms against the Government, or who may have in any Manner encouraged the Rebels.* February 4, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to strike from the pension rolls the names of all such persons as have or may hereafter take up arms against the Government of the United States, or who have in any manner encouraged the rebels or manifested a sympathy with their cause.

Names of persons in arms against the Government, &c., to be struck from the pension rolls.

APPROVED, February 4, 1862.

CHAP. XIX. — *An Act making Appropriations for the Support of the Military Academy for the Year ending the thirtieth of June, eighteen hundred and sixty-three.* February 10, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and sixty-three:—

Military Academy appropriation.

For pay of officers, instructors, cadets, and musicians, one hundred thousand dollars. Pay, &c.

For commutation of subsistence, four thousand one hundred and sixty-one dollars.

For forage for officers' horses, one thousand four hundred and forty dollars.

For pay in lieu of clothing to officers' servants, sixty dollars.

For current and ordinary expenses, as follows: repairs and improvements, fuel and apparatus, forage, postage, stationery, transportation, printing, clerks, miscellaneous and incidental expenses, and departments of instruction, thirty-five thousand dollars.

For gradual increase and expense of library, one thousand dollars.

For expenses of the board of visitors, one thousand five hundred dollars.

For forage of artillery and cavalry horses, five thousand dollars.

For supplying horses for artillery and cavalry practice, one thousand dollars.

For repairs of officers' quarters, one thousand five hundred dollars.

For targets and batteries for artillery exercise, one hundred and fifty dollars.

For furniture for hospital for cadets, one hundred dollars.

For annual repairs of gas pipes and retorts, three hundred dollars.

For warming apparatus for academic and other buildings, three thousand dollars.

For kitchen of cadets' mess hall, one thousand dollars.

For latrines at cadets' camp ground, one thousand dollars.

APPROVED, February 10, 1862.

February 12, 1862.

CHAP. XX. — *An Act to authorize an additional Issue of United States Notes.*

\$10,000,000 of demand notes to be issued, &c. 1861, ch. 5 & 46. *Ante*, pp. 259, 313.

Post, p. 370.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, in addition to the fifty millions of notes payable on demand of denominations not less than five dollars, heretofore authorized by the acts of July seventeenth and August fifth, eighteen hundred and sixty-one, be, and he is hereby, authorized to issue like notes, and for like purposes, to the amount of ten millions of dollars, and said notes shall be deemed part of the loan of two hundred and fifty millions of dollars authorized by said acts.

APPROVED, February 12, 1862.

February 12, 1862.

CHAP. XXI. — *An Act authorizing the Detail of Naval Officers for the Service of the War Department.*

Naval officers to be detailed to inspect transport vessels for War Department, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to temporarily detail three competent naval officers for the service of the War Department in the inspection of transport vessels, and for such other services as may be designated by the Secretary of War.

APPROVED, February 12, 1862.

February 13, 1862.

CHAP. XXII. — *An Act making an Appropriation for the Purchase of Cotton and Tobacco Seed for general Distribution.*

Cotton and tobacco seed — appropriation to purchase for distribution.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of three thousand dollars, for the purchase of cotton seed, and one thousand dollars for the purchase of tobacco seed, under the superintendence of the Secretary of the Interior, for general distribution: *Provided*, That the said cotton seed shall be purchased from places where cotton is grown as far north as practicable.

APPROVED, February 13, 1862.

February 13, 1862.

CHAP. XXIII. — *An Act to authorize the Construction of twenty Iron-clad Steam Gunboats.*

Iron-clad steam gunboats.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy is hereby authorized and empowered to cause to be constructed, by contract or otherwise, as he shall deem best for the public interest, not exceeding twenty iron-clad steam gunboats for the use of the navy of the United States.

SEC. 2. *And be it further enacted*, That the sum of ten million dollars be, and hereby is appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the purpose of this act.

APPROVED, February 13, 1862.

February 13, 1862.

CHAP. XXIV. — *An Act to amend an Act entitled "An Act to regulate Trade and Intercourse with the Indian Tribes, and to preserve Peace on the Frontiers," approved June thirtieth, eighteen hundred and thirty-four.*

1834, ch. 161, § 20. Vol. iv. p. 732.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the twentieth section of the "Act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved June thirtieth, eighteen hundred and thirty-four, be, and the same is hereby, amended so as to read as follows, to wit: —

“SEC. 20. *And be it further enacted*, That if any person shall sell, exchange, give, barter, or dispose of any spirituous liquor or wine to any Indian under the charge of any Indian superintendent or Indian agent appointed by the United States, or shall introduce or attempt to introduce any spirituous liquor or wine into the Indian country, such person, on conviction thereof before the proper district court of the United States, shall be imprisoned for a period not exceeding two years, and shall be fined not more than three hundred dollars: *Provided, however*, That it shall be a sufficient defence to any charge of introducing or attempting to introduce liquor into the Indian country if it be proved to be done by order of the War Department, or of any officer duly authorized thereto by the War Department. And if any superintendent of Indian affairs, Indian agent or sub-agent, or commanding officer of a military post, has reason to suspect or is informed that any white person or Indian is about to introduce or has introduced any spirituous liquor or wine into the Indian country, in violation of the provisions of this section, it shall be lawful for such superintendent, agent, sub-agent, or commanding officer, to cause the boats, stores, packages, wagons, sleds, and places of deposit of such person to be searched; and if any such liquor is found therein, the same, together with the boats, teams, wagons, and sleds used in conveying the same, and also the goods, packages, and peltries of such person, shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one half to the informer and the other half to the use of the United States; and if such person be a trader, his license shall be revoked and his bond put in suit. And it shall moreover be lawful for any person in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, except such as may be introduced therein by the War Department. And in all cases arising under this act Indians shall be competent witnesses.”

Sale, &c., of spirituous liquors, &c., to Indians, how punished.

Proviso.

Superintendent, &c., may cause search to be made of suspected places for liquor.

Proceedings if liquor is found.

Ardent spirits or wine found in Indian country, except, &c., may be destroyed.

Indians may be witnesses under this act.

APPROVED, February 13, 1862.

CHAP. XXV. — *An Act making an Appropriation for completing the Defences of Washington, and for other Purposes.*

February 13, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred and fifty thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for completing the defences of Washington: *Provided*, That all arrearages of debts already incurred for the objects of this act shall be first paid out of this sum: *And provided, further*, That no part of the sum hereby appropriated shall be expended in any work hereafter to be commenced.

Appropriation for defences of Washington.

Proviso.

SEC. 2. *And be it further enacted*, That the fifth section of the act of twenty-eighth September, eighteen hundred and fifty, providing for the discharge from the service of minors enlisted without the consent of their parents or guardians, be, and the same hereby is repealed: *Provided*, That hereafter no person under the age of eighteen shall be mustered into the United States service, and the oath of enlistment taken by the recruit shall be conclusive as to his age.

Enlistment of minors. 1850, ch. 78, § 5. Vol. ix. p. 507.

SEC. 3. *And be it further enacted*, That no volunteers or militia from any State or Territory shall be mustered into the service of the United States on any terms or conditions confining their service to the limits of said State or Territory, or their vicinities, beyond the number of ten thousand in the State of Missouri, and four thousand five hundred in the State of Maryland, heretofore authorized by the President of the United States, or Secretary of War, to be raised in said States.

Mustering of volunteers into service, &c.

SEC. 4. *And be it further enacted*, That the second section of the act

of the tenth of April, eighteen hundred and six, shall be, and the same is hereby, so amended as to read as follows :

Spies, &c.,
how to be pun-
ished.
1806, ch. 20, § 2.
Vol. ii. p. 371.

“**SEC. 2.** *And be it further enacted,* That, in time of war or rebellion against the supreme authority of the United States, all persons who shall be found lurking as spies, or acting as such, in or about the fortifications, encampments, posts, quarters, or headquarters of the armies of the United States, or any of them, within any part of the United States which has been or may be declared to be in a state of insurrection by proclamation of the President of the United States, shall suffer death by sentence of a general court-martial.”

SEC. 5. *And be it further enacted,* That the fifty-fifth article of the first section of act of tenth April, eighteen hundred and six, chapter twenty, be, and the same is hereby so amended as to read as follows :

Forcing safe-
guard, how
punished.
1806, ch. 20, § 1.
Vol. ii. p. 366.

“**Article Fifty-five.** Whoever, belonging to the armies of the United States in foreign parts, or at any place within the United States, or their Territories, during rebellion against the supreme authority of the United States, shall force a safeguard, shall suffer death.”

APPROVED, February 13, 1862.

February 19, 1862. **CHAP. XXVII.** — *An Act to prohibit the “Coolie Trade” by American Citizens in American Vessels.*

No citizen or
resident of the
United States
shall prepare any
vessel to procure
from China cool-
ies, to be trans-
ported, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no citizen or citizens of the United States, or foreigner coming into or residing within the same, shall, for himself or for any other person whatsoever, either as master, factor, owner, or otherwise, build, equip, load, or otherwise prepare, any ship or vessel, or any steamship or steam-vessel, registered, enrolled, or licensed, in the United States, or any port within the same, for the purpose of procuring from China, or from any port or place therein, or from any other port or place the inhabitants or subjects of China, known as “coolies,” to be transported to any foreign country, port, or place whatever, to be disposed of, or sold, or transferred, for any term of years or for any time whatever, as servants or apprentices, or to be held to service or labor. And if any ship or vessel, steamship, or steam-vessel, belonging in whole or in part to citizens of the United States, and registered, enrolled, or otherwise licensed as aforesaid, shall be employed for the said purposes, or in the “coolie trade,” so called, or shall be caused to procure or carry from China or elsewhere, as aforesaid, any subjects of the Government of China for the purpose of transporting or disposing of them as aforesaid, every such ship or vessel, steamship, or steam-vessel, her tackle, apparel, furniture, and other appurtenances, shall be forfeited to the United States, and shall be liable to be seized, prosecuted, and condemned in any of the circuit courts or district courts of the United States for the district where the said ship or vessel, steamship, or steam-vessel, may be found, seized, or carried.

Any vessel
owned by citizens
of the United
States in whole or
in part so em-
ployed, shall be
forfeited.

Those build-
ing, equipping,
navigating, &c.,
any such vessel,
how punished.

SEC. 2. *And be it further enacted,* That every person who shall so build, fit out, equip, load, or otherwise prepare, or who shall send to sea, or navigate, as owner, master, factor, agent, or otherwise, any ship or vessel, steamship, or steam-vessel, belonging in whole or in part to citizens of the United States, or registered, enrolled, or licensed within the same, or at any port thereof, knowing or intending that the same shall be employed in that trade or business aforesaid, contrary to the true intent and meaning of this act, or in anywise aiding or abetting therein, shall be severally liable to be indicted therefor, and, on conviction thereof, shall be liable to a fine not exceeding two thousand dollars and be imprisoned not exceeding one year.

Taking coolies
on board a vessel

SEC. 3. *And be it further enacted,* That if any citizen or citizens of the United States shall, contrary to the true intent and meaning of this

act, take on board of any vessel, or receive or transport any such persons as are above described in this act, for the purpose of disposing of them as aforesaid, he or they shall be liable to be indicted therefor, and, on conviction thereof, shall be liable to a fine not exceeding two thousand dollars and be imprisoned not exceeding one year.

SEC. 4. *And be it further enacted,* That nothing in this act hereinbefore contained shall be deemed or construed to apply to or affect any free and voluntary emigration of any Chinese subject, or to any vessel carrying such person as passenger on board the same: *Provided, however,* That a permit or certificate shall be prepared and signed by the consul or consular agent of the United States residing at the port from which such vessel may take her departure, containing the name of such person, and setting forth the fact of his voluntary emigration from such port or place, which certificate shall be given to the master of such vessel; but the same shall not be given until such consul or consular agent shall be first personally satisfied by evidence produced of the truth of the facts therein contained.

SEC. 5. *And be it further enacted,* That all the provisions of the act of Congress approved February twenty-second, eighteen hundred and forty-seven, entitled "An act to regulate the carriage of passengers in merchant vessels," and all the provisions of the act of Congress approved March third, eighteen hundred and forty-nine, entitled "An act to extend the provisions of all laws now in force relating to the carriage of passengers in merchant vessels and the regulation thereof," shall be extended and shall apply to all vessels owned in whole or in part by citizens of the United States, and registered, enrolled, or licensed within the United States, propelled by wind or by steam, and to all masters thereof, carrying passengers or intending to carry passengers from any foreign port or place without the United States to any other foreign port or place without the United States; and that all penalties and forfeitures provided for in said act shall apply to vessels and masters last aforesaid.

SEC. 6. *And be it further enacted,* That the President of the United States shall be, and he is hereby, authorized and empowered, in such way and at such time as he shall judge proper to the end that the provisions of this act may be enforced according to the true intent and meaning thereof, to direct and order the vessels of the United States, and the masters and commanders thereof, to examine all vessels navigated or owned in whole or in part by citizens of the United States, and registered, enrolled, or licensed under the laws of the United States, wherever they may be, whenever, in the judgment of such master or commanding officer thereof, reasonable cause shall exist to believe that such vessel has on board, in violation of the provisions of this act, any subjects of China known as "coolies," for the purpose of transportation; and upon sufficient proof that such vessel is employed in violation of the provisions of this act, to cause such vessel to be carried, with her officers and crew, into any port or district within the United States, and delivered to the marshal of such district, to be held and disposed of according to the provisions of this act.

SEC. 7. *And be it further enacted,* That this act shall take effect from and after six months from the day of its passage.

APPROVED, February 19, 1862.

CHAP. XXVIII. — *An Act making Appropriations for the Construction, Preservation, and Repairs of certain Fortifications and other Works of Defence for the Year ending thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth June, eighteen hundred and sixty-two.* February 20, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be,

or transporting them, &c., to dispose of them, how punished.

This act not to interfere with voluntary emigration of the Chinese.

Consular certificate required in such case.

Provisions of acts relating to passengers in merchant vessels, to apply to such vessels carrying passengers between foreign ports.

1847, ch. 16.
Vol. ix. p. 127.
1849, ch. 111.
Vol. ix. p. 399.

President may order vessels of war to examine vessels supposed to have "coolies" on board.

If any vessel is employed in violation of this act, it is to be sent to the United States.

When act to take effect.

- Appropriations for fortifications for 1863. and they are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the construction, preservation, and repairs of certain fortifications and other works of defence for the year ending the thirtieth of June, eighteen hundred and sixty-three :
- Fort Montgomery. For Fort Montgomery, at outlet of Lake Champlain, New York, one hundred thousand dollars.
- Fort Knox. For Fort Knox, at narrows of Penobscot River, Maine, one hundred thousand dollars.
- Hog Island Ledge. For fort on Hog Island Ledge, Portland harbor, Maine, one hundred thousand dollars.
- Fort Scammel. For continuation of works at Fort Scammel, Portland harbor, Maine, seventy-five thousand dollars.
- Fort Warren. For Fort Warren, Boston harbor, Massachusetts, seventy-five thousand dollars.
- Fort Winthrop. For Fort Winthrop, Boston harbor, Massachusetts, fifty thousand dollars.
- New Bedford. For fort at New Bedford harbor, Massachusetts, one hundred thousand dollars.
- Willet's Point. For fort at Willet's Point, opposite Fort Schuyler, New York, two hundred thousand dollars.
- Fort Tompkins. For fort on site of Fort Tompkins, Staten Island, New York, two hundred thousand dollars.
- Sandy Hook. For fort at Sandy Hook, New Jersey, three hundred thousand dollars.
- Fort Delaware. For Fort Delaware, Delaware River, sixty thousand dollars.
- Fort Carroll. For Fort Carroll, Baltimore harbor, Maryland, two hundred thousand dollars.
- Fort Calhoun. For Fort Calhoun, Hampton Roads, Virginia, two hundred thousand dollars.
- Fort Taylor. For Fort Taylor, Key West, Florida, two hundred thousand dollars.
- Fort Jefferson. For Fort Jefferson, Garden Key, Florida, two hundred thousand dollars.
- Fort Point. For fort at Fort Point, San Francisco bay, California, two hundred thousand dollars.
- Alcatraz Island. For fort at Alcatraz Island, San Francisco bay, California, one hundred and fifty thousand dollars.
- Contingencies. For contingencies of fortifications, including field works, five hundred thousand dollars.
- Bridge trains. For bridge trains and equipage for armies in the field, two hundred and fifty thousand dollars.
- Siege trains. For tool and siege trains for armies in the field, two hundred and fifty thousand dollars.
- Appropriations for 1862. SEC. 2. *And be it further enacted,* That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the year ending thirtieth June, eighteen hundred and sixty-two :
- Northern frontier. For fortifications on the northern frontier, including fortifications at Ogdensburg, Oswego, at the mouth of Genesee River, Niagara, Buffalo, Detroit, Fort Gratiot, Mackinaw, and the Sault Sainte Marie, seven hundred and fifty thousand dollars.
- Fort Montgomery. For Fort Montgomery, at outlet of Lake Champlain, New York, fifty thousand dollars.
- Fort Knox. For Fort Knox, Penobscot River, Maine, fifty thousand dollars.
- Hog Island Ledge. For fort on Hog Island Ledge, Portland harbor, Maine, fifty thousand dollars.
- Fort Winthrop. For Fort Winthrop and exterior batteries, Boston harbor, Massachusetts, fifty thousand dollars.
- New Bedford. For fort at New Bedford harbor, Massachusetts, fifty thousand dollars.

- For Fort Adams, Newport harbor, Rhode Island, fifty thousand dol- Fort Adams.
lars.
- For Fort Schuyler, East River, New York, twenty-five thousand dol- Fort Schuyler.
lars.
- For fort at Willet's Point, opposite Fort Schuyler, New York, fifty Willet's Point.
thousand dollars.
- For Fort Richmond, Staten Island, New York, twenty-five thousand Fort Rich-
dollars. * mond.
- For fort on site of Fort Tompkins, Staten Island, New York, fifty Fort Tomp-
thousand dollars. kins.
- For commencement of casemate at battery on Staten Island, New Staten Island.
York, one hundred thousand dollars.
- For new battery at Fort Hamilton, at the Narrows, New York, one Fort Hamilton.
hundred thousand dollars.
- For Fort Mifflin, near Philadelphia, Pennsylvania, twenty-five thou- Fort Mifflin.
sand dollars.
- For new fort opposite Fort Delaware, on Delaware shore, two hun- Fort on Dela-
dred thousand dollars. ware shore.
- For Fort Monroe, Hampton Roads, Virginia, fifty thousand dollars. Fort Monroe.
- For Fort Taylor, Key West, Florida, one hundred thousand dollars. Fort Taylor.
- For Fort Jefferson, Garden Key, Florida, one hundred thousand dol- Fort Jefferson.
lars.
- For additional fort at the Tortugas, Florida, two hundred thousand Tortugas.
dollars.
- For fort at Ship Island, coast of Mississippi, one hundred thousand Ship Island.
dollars.
- For contingencies of fortifications, one hundred thousand dollars. Contingencies.
- For bridge trains and equipage, two hundred and fifty thousand dol- Bridge trains.
lars.
- For defence in Oregon and Washington Territory, at or near the Defence in
mouth of Columbia River, one hundred thousand dollars, if, in the Oregon and
judgment of the President, the same, or any part thereof, should be Washington.
advisable.

SEC. 3. *And be it further enacted*, That the following sum be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal years ending June thirty, eighteen hundred and sixty-two, and June thirty, eighteen hundred and sixty-three :

- For the erection of temporary works in Maine, and in the harbor Temporary
at Portsmouth, New Hampshire, when, in the judgment of the Presi- works in Maine
dent, the expenditure of the same, or any part thereof, shall be advis- and New Hamp-
able, five hundred and fifty thousand dollars. shire.
- For the erection of temporary works in Narragansett Bay, when, in In Narragan-
the judgment of the President, the expenditure of the same, or any sett Bay.
part thereof, shall be advisable, two hundred thousand dollars.

APPROVED, February 20, 1862.

CHAP. XXIX. — *An Act making an Appropriation to illuminate the Public Buildings.* February 20, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, payable out of any money in the Treasury not otherwise appropriated, to enable the Commissioner of Public Buildings to carry out the order of Congress for the illumination of the Public Buildings on the twenty-second of February, eighteen hundred and sixty-two.

Illumination of
Public Buildings,
Feb. 22, 1862, ap-
propriation for.

APPROVED, February 20, 1862.

February 22, 1862. CHAP. XXX. — *An Act to authorize a Change of Appropriations for the Payment of necessary Expenditures in the Service of the United States for Indian Affairs.*

Appropriation for Indian Affairs changed.

1860, ch. 56.
Ante, pp. 17, 19.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby authorized to pay to Benjamin Davis, late Superintendent of Indian Affairs for the Territory of Utah, such sums as may be found due to him on the settlement of his accounts as superintendent, said payment not to exceed the sum of nine thousand seven hundred and thirty dollars and ten cents, and which shall be paid out of the unexpended balance of the appropriation made by the act entitled "An act to supply deficiencies in the appropriation for the service of the fiscal year ending thirtieth June, eighteen hundred and sixty," approved May twenty-fourth, eighteen hundred and sixty, for the payment of the Indian agents in Utah.

APPROVED, February 22, 1862.

February 22, 1862. CHAP. XXXI. — *An Act making Appropriations for the Signal Service of the United States Army.*

Pay of officers temporarily serving as signal officers.

Appropriation for signal equipments, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That officers temporarily serving as signal officers shall receive, for the time they are so serving, the pay and emoluments of cavalry officers of their respective grades.

SEC. 2. *And be it further enacted,* That the following sums be, and they are hereby appropriated, out of any money in the Treasury not otherwise appropriated, viz :

For the manufacture or purchase of signal equipments and signal stores, to equip and supply the forces now in the field, twenty thousand dollars.

For contingent expenses of the signal department, one thousand dollars.

For the manufacture or purchase of signal equipments and signal stores, for countersign signals, to prevent the collision of friendly regiments, thirty-four thousand nine hundred and fifty dollars.

APPROVED, February 22, 1862.

February 25, 1862. CHAP. XXXII. — *An Act making additional Appropriations for the Support of the Army for the Year ending thirtieth of June, eighteen hundred and sixty-two.*

Army appropriations for 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the year ending thirtieth of June, eighteen hundred and sixty-two :

Pay. For pay of two and three years volunteers, fifty million dollars.

For payments to discharged soldiers for clothing not drawn, fifty thousand dollars.

Subsistence. For subsistence in kind for two and three years volunteers, twenty-six million six hundred and sixty-eight thousand nine hundred and two dollars.

Transportation. For transportation of the army and its supplies, fourteen million eight hundred and eighty-one thousand dollars.

Cavalry, &c., horses. For the purchase of cavalry and artillery horses, one million six hundred and sixty-one thousand and forty dollars.

Clothing, camp equipage, &c. For clothing, camp and garrison equipage, twelve million one hundred and seventy-three thousand five hundred and forty-six dollars and seventy-seven cents.

Quartermaster's department. For regular supplies, incidental expenses, transportation, barracks and quarters, clothing, camp and garrison equipage, keeping, transporting, and

supplying prisoners, and other supplies and services of the Quartermaster's department, to thirtieth June, eighteen hundred and sixty-two, and to be divided among the said several heads of appropriation herein named, as the exigencies of the service may require, seventy-six millions five hundred thousand dollars.

For the armament of fortifications, eight hundred and thirty-four thousand dollars.

Armament of fortifications.

For the current expenses of the ordnance service, two hundred thousand dollars.

Ordnance service.

For ordnance, ordnance stores and supplies, including horse equipments for all the mounted troops, one million nine hundred and twenty-four thousand dollars.

For purchase of arms for volunteers and regulars, and ordnance and ordnance stores, seven millions five hundred thousand dollars.

Purchase of arms.

For the medical and hospital department, one million dollars.

Medical and hospital department.

For amount required to refund to the States expenses incurred on account of volunteers called into the field, fifteen million dollars.

Refunding to States, &c.

APPROVED, February 25, 1862.

CHAP. XXXIII. — *An Act to authorize the Issue of United States Notes, and for the Redemption or Funding thereof, and for Funding the Floating Debt of the United States.*

February 25, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to issue, on the credit of the United States, one hundred and fifty millions of dollars of United States notes, not bearing interest, payable to bearer, at the Treasury of the United States, and of such denominations as he may deem expedient, not less than five dollars each: *Provided, however,* That fifty millions of said notes shall be in lieu of the demand Treasury notes authorized to be issued by the act of July seventeen, eighteen hundred and sixty-one; which said demand notes shall be taken up as rapidly as practicable, and the notes herein provided for substituted for them: *And provided further,* That the amount of the two kinds of notes together shall at no time exceed the sum of one hundred and fifty millions of dollars, and such notes herein authorized shall be receivable in payment of all taxes, internal duties, excises, debts, and demands of every kind due to the United States, except duties on imports, and of all claims and demands against the United States of every kind whatsoever, except for interest upon bonds and notes, which shall be paid in coin, and shall also be lawful money and a legal tender in payment of all debts, public and private, within the United States, except duties on imports and interest as aforesaid. And any holders of said United States notes depositing any sum not less than fifty dollars, or some multiple of fifty dollars, with the Treasurer of the United States, or either of the Assistant Treasurers, shall receive in exchange therefor duplicate certificates of deposit, one of which may be transmitted to the Secretary of the Treasury, who shall thereupon issue to the holder an equal amount of bonds of the United States, coupon or registered, as may by said holder be desired, bearing interest at the rate of six per centum per annum, payable semi-annually, and redeemable at the pleasure of the United States after five years, and payable twenty years from the date thereof. And such United States notes shall be received the same as coin, at their par value, in payment for any loans that may be hereafter sold or negotiated by the Secretary of the Treasury, and may be re-issued from time to time as the exigencies of the public interests shall require.

\$150,000,000 treasury notes authorized.

Denominations, how payable, interest. \$50,000,000, to be in lieu of demand notes.

Ante, p. 259.

Treasury notes receivable in payment of dues to United States, except duties on imports, and interest on federal bonds and notes which shall be paid in coin, and to be legal tender except for duties and interest.

To be convertible in sums of not less than \$50, &c. into United States 6 per cent stock, &c.

SEC. 2. *And be it further enacted,* That to enable the Secretary of the Treasury to fund the Treasury notes and floating debt of the United States, he is hereby authorized to issue, on the credit of the United States, coupon bonds, or registered bonds, to an amount not exceeding five

Funding treasury notes and floating debt, provisions for

hundred millions of dollars, redeemable at the pleasure of the United States after five years, and payable twenty years from date, and bearing interest at the rate of six per centum per annum, payable semi-annually. And the bonds herein authorized shall be of such denominations, not less than fifty dollars, as may be determined upon by the Secretary of the Treasury. And the Secretary of the Treasury may dispose of such bonds at any time, at the market value thereof, for the coin of the United States, or for any of the Treasury notes that have been or may hereafter be issued under any former act of Congress, or for United States notes that may be issued under the provisions of this act; and all stocks, bonds, and other securities of the United States held by individuals, corporations, or associations, within the United States, shall be exempt from taxation by or under State authority.

United States stocks held within the United States, to be exempt from State taxes.

Form of treasury notes and coupon or registered bonds,

how signed, countersigned, and sealed.

Provisions of act of 1857, ch. i. (vol. xi. p. 237,) revived; appropriation.

SEC. 3. *And be it further enacted*, That the United States notes and the coupon or registered bonds authorized by this act shall be in such form as the Secretary of the Treasury may direct, and shall bear the written or engraved signatures of the Treasurer of the United States and the Register of the Treasury, and also, as evidence of lawful issue, the imprint of a copy of the seal of the Treasury Department, which imprint shall be made under the direction of the Secretary, after the said notes or bonds shall be received from the engravers and before they are issued; or the said notes and bonds shall be signed by the Treasurer of the United States, or for the Treasurer by such persons as may be specially appointed by the Secretary of the Treasury for that purpose, and shall be countersigned by the Register of the Treasury, or for the Register by such persons as the Secretary of the Treasury may specially appoint for that purpose; and all the provisions of the act entitled "An act to authorize the issue of Treasury notes," approved the twenty-third day of December, eighteen hundred and fifty-seven, so far as they can be applied to this act, and not inconsistent therewith, are hereby revived and re-enacted; and the sum of three hundred thousand dollars is hereby re-appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Treasury to carry this act into effect.

Notes in sums of not less than \$100 may be received on deposit, &c.

Interest on deposits.

Deposits, how withdrawn.

Interest to cease, &c.

Aggregate not to exceed, &c.

Post, p. 370.

Duties on imports to be paid in coin or in demand notes.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury may receive from any person or persons, or any corporation, United States notes on deposit for not less than thirty days, in sums of not less than one hundred dollars, with any of the Assistant Treasurers or designated depositaries of the United States authorized by the Secretary of the Treasury to receive them, who shall issue therefor certificates of deposit, made in such form as the Secretary of the Treasury shall prescribe, and said certificates of deposit shall bear interest at the rate of five per centum per annum; and any amount of United States notes so deposited may be withdrawn from deposit at any time after ten days' notice on the return of said certificates: *Provided*, That the interest on all such deposits shall cease and determine at the pleasure of the Secretary of the Treasury: *And provided further*, That the aggregate of such deposit shall at no time exceed the amount of twenty-five millions of dollars.

Coin, how to be applied.

SEC. 5. *And be it further enacted*, That all duties on imported goods shall be paid in coin, or in notes payable on demand heretofore authorized to be issued and by law receivable in payment of public dues, and the coin so paid shall be set apart as a special fund, and shall be applied as follows:

First. To the payment in coin of the interest on the bonds and notes of the United States.

Second. To the purchase or payment of one per centum of the entire debt of the United States, to be made within each fiscal year after the first day of July, eighteen hundred and sixty-two, which is to be set apart as a sinking fund, and the interest of which shall in like manner be applied to the purchase or payment of the public debt as the Secretary of the Treasury shall from time to time direct.

Sinking fund.

Third. The residue thereof to be paid into the Treasury of the United States.

SEC. 6. *And be it further enacted,* That if any person or persons shall falsely make, forge, counterfeit, or alter, or cause or procure to be falsely made, forged, counterfeited, or altered, or shall willingly aid or assist in falsely making, forging, counterfeiting, or altering, any note, bond, coupon, or other security issued under the authority of this act, or heretofore issued under acts to authorize the issue of Treasury notes or bonds; or shall pass, utter, publish, or sell, or attempt to pass, utter, publish, or sell, or bring into the United States from any foreign place with intent to pass, utter, publish, or sell, or shall have or keep in possession or conceal, with intent to utter, publish, or sell, any such false, forged, counterfeited, or altered note, bond, coupon, or other security, with intent to defraud any body corporate or politic, or any other person or persons whatsoever, every person so offending shall be deemed guilty of felony, and shall, on conviction thereof, be punished by fine not exceeding five thousand dollars, and by imprisonment and confinement to hard labor not exceeding fifteen years, according to the aggravation of the offence.

Penalty for forging, &c., treasury notes, &c.,

for uttering or attempting to utter, &c., such notes, &c.,

SEC. 7. *And be it further enacted,* That if any person, having the custody of any plate or plates from which any notes, bonds, coupons, or other securities mentioned in this act, or any part thereof, shall have been printed, or which shall have been prepared for the purpose of printing any such notes, bonds, coupons, or other securities, or any part thereof, shall use such plate or plates, or knowingly permit the same to be used for the purpose of printing any notes, bonds, coupons, or other securities, or any part thereof, except such as shall be printed for the use of the United States by order of the proper officer thereof; or if any person shall engrave, or cause or procure to be engraved, or shall aid in engraving, any plate or plates in the likeness or similitude of any plate or plates designed for the printing of any such notes, bonds, coupons, or other securities, or any part thereof, or shall vend or sell any such plate or plates, or shall bring into the United States from any foreign place any such plate or plates, with any other intent or for any purpose, in either case, than that such plate or plates shall be used for printing of such notes, bonds, coupons, or other securities, or some part or parts thereof, for the use of the United States, or shall have in his custody or possession any metallic plate engraved after the similitude of any plate from which any such notes, bonds, coupons, or other securities, or any part or parts thereof, shall have been printed, with intent to use such plate or plates, or cause or suffer the same to be used, in forging or counterfeiting any such notes, bonds, coupons, or other securities, or any part or parts thereof, issued as aforesaid, or shall have in his custody or possession any blank note or notes, bond or bonds, coupon or coupons, or other security or securities, engraved and printed after the similitude of any notes, bonds, coupons, or other securities, issued as aforesaid, with intent to sell or otherwise use the same; or if any person shall print, photograph, or in any other manner execute or cause to be printed, photographed, or in any manner executed, or shall aid in printing, photographing, or executing any engraving, photograph, or other print, or impression, in the likeness or similitude of any such notes, bonds, coupons, or other securities, or any part or parts thereof, except for the use of the United States and by order of the proper officer thereof, or shall vend or sell any such engraving, photograph, print, or other impression, except to the United States, or shall bring into the United States from any foreign place any such engraving, photograph, print, or other impression for the purpose of vending or selling the same, except by the direction of some proper officer of the United States, or shall have in his custody or possession any paper adapted to the making of such notes, bonds, coupons, or other securities, and similar to the paper upon which any such notes, bonds, coupons, or other securi-

for using, &c., plates, without authority,

for engraving, &c., plates in similitude, &c., with intent, &c.,

for selling such plates, or bringing them into the United States, with intent, &c.,

for having plates in possession, with intent, &c.,

for having in possession blank notes, &c., with intent to sell, &c.,

for printing or photographing, &c.,

for selling or bringing into the United States, with intent, &c.,

for having paper for printing such notes, &c., with intent, &c.

ties shall have been issued, with intent to use such paper, or cause or suffer the same to be used, in forging or counterfeiting any of the notes, bonds, coupons, or other securities, issued as aforesaid, every such person so offending shall be deemed guilty of a felony, and shall, on conviction thereof, be punished by fine not exceeding five thousand dollars, and by imprisonment and confinement to hard labor not exceeding fifteen years, according to the aggravation of the offence.

APPROVED, February 25, 1862.

March 1, 1862.

CHAP. XXXIV. — *An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending the thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending the thirtieth of June, eighteen hundred and sixty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, for the objects hereafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-three, viz :

Civil expenses appropriation.

Coast survey.

Survey of the Coast. For the survey of the Atlantic and Gulf coasts of the United States, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) one hundred and seventy-eight thousand dollars.

For continuing the survey of the western coast of the United States, (including compensation of civilians engaged in the work,) one hundred thousand dollars.

For continuing the survey of the Florida reefs and keys, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) eleven thousand dollars.

For publishing the observations made in the progress of the survey of the coast of the United States, (including compensation of civilians employed in the work,) five thousand dollars.

For repairs of steamers and surveying schooners used in the coast survey, five thousand dollars.

Deficiency for seamen.

Marine hospitals may be leased to cities and towns.

1862, ch. 51.

Vol. ii. p. 192.

Miscellaneous.

To supply deficiency in the fund for the relief of sick and disabled seamen, two hundred thousand dollars: *Provided,* That the Secretary of the Treasury is hereby authorized to rent either of the several marine hospitals to the proper authorities of the cities, towns, or counties in which said hospitals are located, and contract with such authorities for the relief of the sick and disabled seamen entitled to relief under the act of third of May, eighteen hundred and two, and in cases of infectious diseases to make such regulations for their relief as he deems expedient.

For the discharge of such miscellaneous claims, not otherwise provided for, as shall be admitted in due course of settlement at the Treasury, five thousand dollars.

Lighthouse establishment.

Lighthouse Establishment. — For the Atlantic, Gulf, and Lake coasts, viz :

For supplying the lighthouses and beacon-lights with oil, glass chimneys, wicks, and other necessary expenses of the same, repairing and keeping in repair the lighting apparatus, one hundred and fifty-four thousand six hundred and ninety-eight dollars and eighty cents.

For repairs and incidental expenses, refitting and improving all the lighthouses and buildings connected therewith, one hundred and two thousand two hundred dollars.

For salaries of five hundred and ninety-six keepers of lighthouses

and light-beacons and their assistants, two hundred and thirteen thousand one hundred and ninety-three dollars and thirty-three cents.

Lighthouse establishment.

For salaries of forty-three keepers of light-vessels, twenty-three thousand nine hundred dollars.

For seamen's wages, repairs, supplies, and incidental expenses of forty-five light-vessels, one hundred and seventy thousand nine hundred and sixty-seven dollars and seventy cents.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of beacons and buoys, and for chains and sinkers for the same, one hundred and twelve thousand three hundred and fifty dollars.

For expenses of visiting and inspecting lights and other aids to navigation, two thousand dollars.

For the coasts of California, Oregon, and Washington.—For supplying nineteen lighthouses and beacon-lights with oil, glass chimneys, chamois skins, polishing powder, and other cleaning materials, transportation, expenses of keeping lamps and machinery in repair, publishing notices to mariners of changes of aids to navigation, seventeen thousand two hundred and seventy dollars.

California, Oregon, and Washington.

For repairs and incidental expenses of nineteen lighthouses and buildings connected therewith, ten thousand dollars.

For salaries of forty-three keepers and assistant keepers of lighthouses, at an average not exceeding eight hundred dollars per annum, twenty-five thousand eight hundred dollars.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of floating buoys and beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys, ten thousand dollars.

For maintenance of the vessel provided for by the act of eighteenth August, eighteen hundred and fifty-six, for transportation of supplies and materials, and for repairs of lighthouses, and buoys service, and for inspecting purposes, thirty thousand dollars.

1856, ch. 160.
Vol. xi. p. 100

For commutation of fuel and quarters for officers of the army serving on lighthouse duty, the payment of which is no longer provided for by the quartermaster's department, five thousand two hundred and thirty-nine dollars and seventy-nine cents.

Army officers on lighthouse duty.

For compensation of two inspectors of customs acting as superintendents for the life-saving stations on the coasts of Long Island and New Jersey, three thousand dollars.

Life stations and boats.

For compensation of fifty-four keepers of stations, at two hundred dollars each, ten thousand eight hundred dollars.

For contingent expenses of the life-saving stations on the coasts of Long Island and New Jersey, twenty thousand dollars.

For hire of carts on the public grounds, one thousand and ninety-five dollars.

Public grounds.

For purchase and repair of tools used in the public grounds, two hundred dollars.

For purchase of trees and tree-boxes, to replace, where necessary, such as have been planted by the United States, to whitewash tree-boxes and fences, and to repair pavements in front of the public grounds, three thousand dollars.

For annual repairs of the Capitol, water-closets, public stables, water-pipes, pavements and other walks within the Capitol square, broken glass, and locks, and for the protection of the building, and keeping the main approaches to it unencumbered, six thousand dollars.

Repairs of Capitol.

For annual repairs of the President's house and furniture, improvement of grounds, purchase of plants for garden, and contingent expenses incidental thereto, five thousand dollars.

President's House.

For fuel, in part, of the President's house, two thousand four hundred dollars.

- Lighting Capitol, &c.** For lighting the Capitol and President's house, the public grounds around them, and around the Executive offices, and Pennsylvania avenue, Bridge and High streets in Georgetown, Four-and-a-half street, Seventh, and Twelfth streets across the mall, fifty thousand dollars.
- For additional fixtures and lighting and repairing the building and footways of the custom house and post office in Georgetown, in the District of Columbia, two hundred and fifty dollars, or so much thereof as may be necessary.
- Library of Executive Mansion.** For purchase of books for library at the Executive Mansion, to be expended under the direction of the President of the United States, two hundred and fifty dollars.
- Repairs of bridges, avenues, squares, &c.** For repairs of the Potomac, Navy Yard, and Upper bridges, and the roads appurtenant thereto, six thousand dollars.
- For repairs of Pennsylvania avenue, and watering the same, ten thousand dollars.
- For public reservation number two and Lafayette square, two thousand dollars.
- For taking care of the grounds south of the President's house, and keeping them in order, one thousand dollars.
- Sewer traps.** For repairs of water-pipes, five hundred dollars.
- For cleaning out the sewer traps on Pennsylvania avenue, and repairing the same, three hundred dollars.
- For repairs of all the furnaces under the Capitol, five hundred dollars.
- For repairing Delaware avenue, north of C. street north, one thousand dollars.
- For paying one-half of the expenses of sewer traps at the intersection of Fourth street west with E street north, two hundred dollars.
- Hospital for the Insane.** *Government Hospital for the Insane.* — For the support, clothing, and medical treatment of the insane of the army and navy and of the revenue service, and of the District of Columbia, at the asylum in said District, forty thousand five hundred dollars.
- For finishing, furnishing, heating, and lighting of additional accommodations in the east wing, five thousand dollars.
- For improvements of the grounds about the hospital and farms, two thousand dollars.
- Patent office. Agricultural statistics, &c.** *Patent Office.* — For collection of agricultural statistics, investigations for promoting agriculture and rural economy, and the procurement, propagation, and distribution of cuttings and seeds, of new and useful varieties, and for the introduction and protection of insectivorous birds, and for investigations to test the practicability of preparing flax and hemp as a substitute for cotton, sixty thousand dollars: *Provided, however,* That in the expenditure of this appropriation, and especially in the selection of cuttings and seeds for distribution, due regard shall be had to the purposes of general cultivation and the encouragement of the agricultural and rural interests of all parts of the United States.
- Flax and hemp for cotton.** For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter, one thousand six hundred dollars.
- Distribution of seeds and cuttings.** *Exploring Expeditions.* — For preservation of the collections of the exploring and surveying expeditions of the Government, four thousand dollars.
- Copyrights.** For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter, one thousand six hundred dollars.
- Exploring expeditions.** *Exploring Expeditions.* — For preservation of the collections of the exploring and surveying expeditions of the Government, four thousand dollars.
- Botanic garden.** *Botanic Garden.* — For grading, draining, procuring manure, tools, fuel, and repairs, purchasing trees and shrubs for Botanic Garden, to be expended under the direction of the Library Committee of Congress, three thousand three hundred dollars.
- For pay of horticulturist and assistants in the Botanic Garden and green-houses, to be expended under the direction of the Library Committee of Congress, five thousand one hundred and twenty-one dollars and fifty cents.

<p><i>Survey of the Public Lands.</i> — For surveying the public lands, (exclusive of California, Oregon, Washington, New Mexico, Kansas, Nebraska, Utah, Dakota, Colorado, and Nevada,) including incidental expenses and island surveys in the interior, and all other special and difficult surveys demanding augmented rates, to be apportioned and applied to the several surveying districts according to the exigencies of the public service, including expenses of selecting swamp lands, in addition to the unexpended balances of all former appropriations for the same object, which will be absorbed by work under contract, ten thousand dollars.</p>	<p>Survey of public lands.</p>
<p>For surveying the public lands and private land claims in California, to be disbursed at the rates prescribed by law for the different kinds of work, ten thousand dollars.</p>	<p>California.</p>
<p>For surveying the public lands and private land claims in New Mexico, five thousand dollars.</p>	<p>New Mexico.</p>
<p>For surveying the public lands in Kansas and Nebraska, also outlines of Indian reservations, ten thousand dollars.</p>	<p>Kansas and Nebraska.</p>
<p>For salary of the clerk detailed for the special service in the General Land Office to attend to the unfinished surveys in the States, where the offices of the surveyors general have been closed, two thousand dollars.</p>	<p>Clerk on special service.</p>
<p>For surveying the public lands in Oregon, to be disbursed at the rates authorized by law, five thousand dollars.</p>	<p>Oregon.</p>
<p>For surveying the public lands in Washington Territory, at the rates authorized by law, five thousand dollars.</p>	<p>Washington Territory.</p>
<p>For surveying the public lands in Dakota Territory, five thousand dollars.</p>	<p>Dakota.</p>
<p>For surveying the public lands and private land claims confirmed in Colorado Territory, five thousand dollars.</p>	<p>Colorado.</p>
<p>For surveying the public lands and private land claims confirmed in Nevada Territory, five thousand dollars.</p>	<p>Nevada.</p>
<p>For the necessary expenses in carrying into effect the act of seventeenth July, eighteen hundred and sixty-one, and the act of fifth August, eighteen hundred and sixty-one, in addition to the appropriations made by those acts, one hundred and fifty thousand dollars.</p>	<p>1861, ch. 5 and 46.</p>
<p>For support, care, and medical treatment of forty transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, to be selected by the Commissioner of Public Buildings, six thousand dollars.</p>	<p>Transient paupers.</p>
<p>To supply a deficiency of appropriation for repairs of the Capitol made by W. S. Wood, late Commissioner of Public Buildings, nine hundred and thirty-four dollars and seventy-eight cents.</p>	<p>Repairs of Capitol.</p>
<p>To enable the Commissioner of Public Buildings to pay for the purchase and repair of plate, and repair of gas-fittings for the President's house, two thousand six hundred and thirteen dollars.</p>	<p>President's House.</p>
<p>SEC. 2. <i>And be it further enacted,</i> That the following sums be and the same are hereby in like manner appropriated for the service of the year ending the thirtieth of June, eighteen hundred and sixty-two :</p>	<p>Deficiency appropriations for 1862.</p>
<p>For the necessary expenses in carrying into effect the act of seventeenth of July, eighteen hundred and sixty-one, and the act of fifth of August, eighteen hundred and sixty-one, in addition to the appropriations made by those acts for those objects, one hundred thousand dollars.</p>	<p>1861, ch. 5 and 46.</p>
<p>For amount required for clerks and messenger in the office of the assistant treasurer at Boston, from first January to thirtieth June, eighteen hundred and sixty-two, one thousand five hundred dollars.</p>	<p>Assistant treasurers. Boston.</p>
<p>For amount required for clerks, messenger, and watchmen, in the office of the assistant treasurer at New York, from first January to thirtieth June, eighteen hundred and sixty-two, five thousand two hundred dollars.</p>	<p>New York.</p>
<p>For amount required for clerks and messenger in the office of the as-</p>	<p>St. Louis.</p>

sistant treasurer at St. Louis, from first January to the thirtieth June, eighteen hundred and sixty-two, eighteen hundred dollars.

Public Build-
ings.

To enable the Commissioner of Public Buildings to pay for painting in the interior of the Capitol, and for general repairs, three thousand two hundred dollars.

To enable the Commissioner of Public Buildings to have the old furnace under the Library of Congress removed, and a new one erected in its place, three hundred and twenty-five dollars.

For a deficiency on account of papering and painting the President's house in the autumn of eighteen hundred and sixty-one, four thousand five hundred dollars.

William H.
Carryl & Brother.

To enable the Commissioner of Public Buildings to pay the bill of William H. Carryl and Brother for furniture for the President's house, six thousand eight hundred and fifty-eight dollars and eighty cents.

P. & T. Berry.

To enable the Commissioner to pay a bill of P. and T. Berry for granite work and materials for the north front of the Patent Office building, seven thousand ninety-three dollars and thirteen cents.

To enable the Commissioner to pay five per cent. on eight thousand seven hundred and fifty-eight dollars and ten cents, retained on that sum due P. and T. Berry on granite work on the west wing of the Patent Office building in eighteen hundred and fifty, four hundred and thirty-seven dollars and ninety-four cents.

Patients in
hospital.

For support of patients in the Government hospital, five thousand dollars.

J. B. Blake.

To pay J. B. Blake for work done by him when Commissioner of Public Buildings, twenty-two dollars and eighteen cents.

Office for Sur-
geon General and
Paymaster Gen-
eral.

For expenses attending the removal to and occupation of building at corner of F and Fifteenth streets, for the Surgeon General's and Paymaster General's offices, for the six months ending thirtieth of June, eighteen hundred and sixty-two, seven thousand eight hundred dollars.

Appropriation
for 1863.

SEC. 3. *And be it further enacted,* That the following sum be, and the same is hereby appropriated for the service of the year ending thirtieth of June, eighteen hundred and sixty-three: For expenses of building corner of F and Fifteenth streets, occupied by the Surgeon General's and Paymaster General's offices, eight thousand eight hundred dollars.

Marine hospi-
tal in Burlington,
Iowa, may be
leased.

SEC. 4. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby authorized and empowered to lease the property of the United States in the city of Burlington, Iowa, upon which is the United States marine hospital, first giving thirty days' notice thereof; or if he shall deem it more expedient for the Government to retain the title to said property, that he be authorized to use it for the sick and wounded soldiers of the United States, or to discharge all officers and servants of the Government connected therewith, and to close the hospital.

APPROVED, March 1, 1862.

March 1, 1862. CHAP. XXXV. — *An Act to authorize the Secretary of the Treasury to issue Certificates of Indebtedness to Public Creditors.*

Certificates of
indebtedness to
public creditors.

Post, p. 370.

Denominations;
when payable;
rate of interest.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized, to cause to be issued to any public creditor who may be desirous to receive the same, upon requisition of the Head of the proper Department in satisfaction of audited and settled demands against the United States, certificates for the whole amount due or parts thereof not less than one thousand dollars, signed by the Treasurer of the United States, and countersigned as may be directed by the Secretary of the Treasury; which certificate shall be payable in one

year from date or earlier, at the option of the Government, and shall bear interest at the rate of six per centum per annum.

APPROVED, March 1, 1862.

CHAP. XXXVI. — *An Act fixing the Number of the House of Representatives from and after the third March, eighteen hundred and sixty-three.* March 4, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the third day of March, eighteen hundred and sixty-three, the number of members of the House of Representatives of the Congress of the United States shall be two hundred and forty-one; and the eight additional members shall be assigned one each to Pennsylvania, Ohio, Kentucky, Illinois, Iowa, Minnesota, Vermont, and Rhode Island.

APPROVED, March 4, 1862.

CHAP. XXXVII. — *An Act to provide for the Appointment of additional Clerks in the Office of the Assistant Treasurer at New York, and for other Purposes.* March 6, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Assistant Treasurer of the United States at New York be, and he hereby is, authorized to appoint, from time to time, by and with the consent and approbation of the Secretary of the Treasury, such other clerks, messengers, and watchmen, in addition to those already employed by him, as the exigencies of the public business may require, at rates of compensation to be fixed by the Secretary of the Treasury: *Provided,* That such rates shall in no case exceed those now allowed by law for the several persons similarly employed in the office of the said Assistant Treasurer. The compensation for such additional clerks, messengers, and watchmen, for the current and next fiscal year, shall be paid out of any moneys in the Treasury not otherwise appropriated. Estimates for compensation for such additional clerks, messengers, and watchmen, after the next fiscal year, shall be submitted by the Secretary of the Treasury with his annual estimates.

SEC. 2. *And be it further enacted,* That the said Assistant Treasurer of the United States at New York be, and he hereby is, further authorized to appoint, with the approbation of the Secretary of the Treasury, a competent person from among his clerks who shall be called the Deputy Assistant Treasurer of the United States. The said Deputy Assistant Treasurer, in addition to the duties performed by him and any others which he may be required to perform by the said Assistant Treasurer, is hereby authorized to witness the execution of any and all transfers of Government stock and powers of attorney, and sign all receipts for patent fees and bullion receipts, with like effect as if the same were witnessed and signed, respectively, by the said Assistant Treasurer in person. The said Deputy Assistant Treasurer shall receive an additional compensation of one thousand dollars per annum, to be paid out of any money in the Treasury not otherwise appropriated: *Provided,* That the total compensation received by him shall not exceed three thousand dollars per annum.

SEC. 3. *And be it further enacted,* That the sum of two thousand five hundred dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of blank checks for the use of the Sub-treasury.

APPROVED, March 6, 1862.

March 6, 1862. CHAP. XXXVIII. — *An Act requiring an Oath of Allegiance and to support the Constitution of the United States to be administered to Masters of American Vessels clearing for foreign or other Ports during the present Rebellion.*

Oath of allegiance to be taken by certain masters of American vessels.

1861, ch. 64. *Ante*, p. 326.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the several collectors of the customs at the ports of entry within the United States, during the continuance of the present rebellion, to cause to be administered to each and every master of any American ship or vessel, steamship or steam vessel, which shall be about to clear for any foreign port or place, or for any port or place within the United States, the oath of allegiance required by chapter sixty-four of the acts of the year eighteen hundred and sixty-one; which oath shall be duly taken by such masters before such vessels shall be permitted to clear as aforesaid.

Who to administer.

SEC. 2. *And be it further enacted*, That the oath or affirmation aforesaid may be taken before the collector of customs at the port from which such vessel is about to clear, or before any justice of the peace or notary public or other person who is legally authorized to administer an oath in the State or district where the same may be administered. And that any violation of such oath shall subject the offender to all the pains and penalties of wilful and corrupt perjury, who shall be liable to be indicted and prosecuted to conviction for any such offence before any court having competent jurisdiction thereof.

APPROVED, March 6, 1862.

March 13, 1862.

CHAP. XXXIX. — *An Act to fulfil Treaty Stipulations with Hanover.*

Appropriation to fulfil Treaty with Hanover.

Post, p. 1188.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the President to fulfil the stipulations contained in the third and fourth articles of the treaty between the United States and Hanover, of the sixth of November, eighteen hundred and sixty-one, viz: To carry out the stipulation contained in the third article of said treaty, forty-three thousand four hundred and fifty-four dollars and sixteen cents. To carry out the stipulation contained in the fourth article of said treaty, ten hundred and forty-two dollars and ninety cents, or so much thereof as may be necessary to pay the interest provided for in said article.

APPROVED, March 13, 1862.

March 13, 1862.

CHAP. XL. — *An Act to make an additional Article of War.*

Additional Article of War.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the following shall be promulgated as an additional article of war for the government of the army of the United States, and shall be obeyed and observed as such:

Military or naval officers not to return escaped fugitives from service.

Penalty.

When act to take effect.

Article — All officers or persons in the military or naval service of the United States are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor, who may have escaped from any persons to whom such service or labor is claimed to be due, and any officer who shall be found guilty by a court-martial of violating this article shall be dismissed from the service.

SEC. 2. *And be it further enacted*, That this act shall take effect from and after its passage.

APPROVED, March 13, 1862.

CHAP. XLI. — *An Act making Appropriations for the Legislative, Executive, and Judicial Expenses of the Government for the Year ending thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth of June, eighteen hundred and sixty-two.* March 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three, namely: but nothing herein contained shall be construed as in any manner impairing the right to reduce the compensation of any officer of the Government, or to abolish any existing office:

Legislative, executive, and judicial expenses, appropriation for 1863.

Construction.

Legislative. For compensation and mileage of Senators, two hundred and forty thousand four hundred and thirty dollars: *Provided*, That the second mileage due by law shall be paid at the present session as soon as certified by the presiding officers of the Senate and House: *And provided, further*, That the foregoing proviso shall not be construed to include more than two mileages for the present Congress.

Pay, &c. of Senators.

Second mileage.

Only two mileages for present Congress.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate, viz: Secretary of the Senate, three thousand six hundred dollars; officer charged with disbursements of the Senate, four hundred and eighty dollars; chief clerk, two thousand five hundred dollars; principal clerk and principal executive clerk in the office of the Secretary of the Senate, at two thousand one hundred and sixty dollars each; eight clerks in office of the Secretary of the Senate, at one thousand eight hundred and fifty dollars each; keeper of the stationery, one thousand seven hundred and fifty-two dollars; two messengers, at one thousand and eighty dollars each; one page, at five hundred dollars; sergeant-at-arms and doorkeeper, two thousand dollars; assistant doorkeeper, one thousand seven hundred dollars; postmaster to the Senate, one thousand seven hundred and fifty dollars; assistant postmaster and mail-carrier, one thousand four hundred and forty dollars; two mail boys, at nine hundred dollars each; superintendent of the document room, one thousand five hundred dollars; two assistants in document room, at one thousand two hundred dollars each; superintendent of the folding room, one thousand five hundred dollars; two messengers, acting as assistant doorkeepers, at one thousand five hundred dollars each; seventeen messengers, at one thousand two hundred dollars each; superintendent in charge of Senate furnaces, one thousand two hundred dollars; assistant in charge of furnaces, six hundred dollars; laborer in private passage, six hundred dollars; two laborers, at four hundred and eighty dollars each; clerk or secretary to the President of the Senate, one thousand seven hundred and fifty-two dollars; clerk to the Committee on Finance, one thousand eight hundred and fifty dollars; clerk to the Committee of Claims, one thousand eight hundred and fifty dollars; clerk of printing records, one thousand eight hundred and fifty dollars; Chaplain to the Senate, seven hundred and fifty dollars; making seventy-nine thousand and fourteen dollars.

Pay of officers, &c. of Senate.

For contingent expenses of the Senate, viz:

For stationery, twelve thousand dollars.

For newspapers, three thousand dollars.

To pay John C. Rives for printing five hundred copies of the Diplomatic Correspondence of the United States, from seventeen hundred and seventy-six to seventeen hundred and eighty-three, for the State Department, fifteen thousand dollars.

Contingencies of Senate.

Diplomatic Correspondence.

For printing the Congressional Globe and Appendix, which are hereafter to be bound under the supervision of the Superintendent of Public Printing, according to the provisions of section five of the "Joint Resolution in relation to the public printing," approved thirtieth of June, eighteen hundred and sixty, eighteen thousand dollars.

Congressional Globe and Appendix.
How to be bound.

Reporting. For reporting proceedings in the Daily Globe for the second regular session of the Thirty-seventh Congress, thirteen thousand dollars.

For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate for the second regular session of the Thirty-seventh Congress, eight hundred dollars each, four thousand dollars.

Clerks. For clerks to committees, pages, horses, and carryalls, fifteen thousand five hundred dollars.

Capitol police. For Capitol police, ten thousand two hundred and twenty-four dollars.

Heating. For expenses of heating and ventilating apparatus, fourteen thousand dollars.

Miscellaneous. For miscellaneous items, twenty thousand dollars.

Pay of Representatives and Delegates. For compensation and mileage of members of the House of Representatives and delegates from Territories, six hundred and twenty thousand dollars.

Of officers, clerks, &c., of House. For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives, viz: Clerk of the House of Representatives, three thousand six hundred dollars; two clerks, at two thousand one hundred and sixty dollars each; eleven clerks, at one thousand eight hundred dollars each; principal messenger in the office, one thousand seven hundred and fifty-two dollars; three messengers, at one thousand two hundred dollars each; messenger to the Speaker, one thousand seven hundred and fifty-two dollars; clerk to the Committee of Ways and Means, one thousand eight hundred dollars; clerk to the Committee of Claims, one thousand eight hundred dollars; Capitol police, ten thousand six hundred and twenty dollars; Sergeant-at-Arms, two thousand one hundred and sixty dollars; clerk to the Sergeant-at-Arms, one thousand eight hundred dollars; messenger to the Sergeant-at-Arms, one thousand two hundred dollars; postmaster, two thousand one hundred and sixty dollars; one messenger in the office, one thousand seven hundred and forty dollars; four messengers, at one thousand four hundred and forty dollars each; two mail boys, at nine hundred dollars each; doorkeeper, two thousand one hundred and sixty dollars; superintendent of the folding room, one thousand eight hundred dollars; two messengers, at one thousand seven hundred and fifty-two dollars each; one messenger, at one thousand seven hundred and forty dollars; five messengers, at one thousand five hundred dollars each; six messengers, at one thousand two hundred dollars each; eleven messengers, to be employed during the session of Congress, at the rate of one thousand two hundred dollars each per annum; Chaplain to the House of Representatives, seven hundred and fifty dollars; making ninety-three thousand six hundred and eighteen dollars.

Contingencies of House. For contingent expenses of the House of Representatives, viz: For cartage, two thousand dollars.

Congressional Globe, &c. For twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the second regular session of the Thirty-seventh Congress, and one hundred copies of the same for the House Library, fourteen thousand dollars.

Clerks. For the compensation of clerks to committees, and temporary clerks in the office of the Clerk of the House of Representatives, fourteen thousand four hundred dollars.

Folding. For folding documents, including materials, thirty thousand dollars.

Fuel and lights. For fuel and lights, including pay of engineers, firemen, and laborers, repairs, and materials for engine room, twelve thousand dollars.

Furniture, &c. For furniture, repairs, and packing boxes for members, ten thousand dollars.

Stationery. For stationery, twelve thousand dollars.

Horses, &c. For horses, carriages, and saddle horses, seven thousand five hundred dollars.

Laborers. For laborers, seven thousand dollars.

For miscellaneous items, thirty thousand dollars.	Miscellaneous.
For newspapers, twelve thousand five hundred dollars.	Newspapers.
For pages and temporary mail boys, four thousand eight hundred dollars.	Pages.
For reporting proceedings in the Daily Globe for the second regular session of the Thirty-seventh Congress, at seven dollars and fifty cents per column, eight thousand dollars.	Reporting.
For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House for the second regular session of the Thirty-seventh Congress, eight hundred dollars each, four thousand dollars.	
<i>Library of Congress.</i> — For compensation of librarian, three assistant librarians, messenger, and laborers, ten thousand dollars.	Library of Congress.
For contingent expenses of said library, one thousand dollars.	
For purchase of books for said library, five thousand dollars.	
For purchase of law books for said library, two thousand dollars.	
<i>Public Printing.</i> — For compensation of the Superintendent of Public Printing, and the clerks and messenger in his office, nine thousand seven hundred and fourteen dollars.	Public Printing
For contingent expenses of his office, viz.: For blank-books, stationery, postage, advertising for proposals for paper, furniture, travelling expenses, cartage and labor in storing and transportation of paper, and miscellaneous items, two thousand seven hundred dollars.	
For the public printing, one hundred and twenty-five thousand four hundred and eighty-four dollars and fifty-two cents.	
For paper for the public printing, one hundred and eighty-three thousand five hundred and sixty-nine dollars.	Paper for public printing.
For lithographing and engraving, viz.: Senate, forty thousand dollars; House of Representatives, fifty thousand dollars; making ninety thousand dollars.	Lithographing &c.
For the public binding, two hundred and twenty-six thousand eight hundred and forty dollars and seventy-five cents.	Binding.
<i>Court of Claims.</i> — For salaries of three judges of the Court of Claims, the solicitor, assistant solicitor, deputy solicitor, clerk and assistant clerk, and messenger thereof, twenty-seven thousand three hundred dollars.	Court of Claims.
<i>Executive.</i> — For compensation of the President of the United States, twenty-five thousand dollars.	Executive.
For compensation of the Vice-President of the United States, eight thousand dollars.	
For compensation of secretary to sign patents for lands, one thousand five hundred dollars.	
For compensation to the private secretary, steward, and messenger of the President of the United States, four thousand six hundred dollars.	
For contingent expenses of the Executive office, including stationery therefor, one thousand dollars.	
<i>Department of State.</i> — For compensation of the Secretary of State and Assistant Secretary of State, clerks, messenger, assistant messenger, and laborers in his office, fifty-seven thousand eight hundred dollars.	State Department.
<i>For the Incidental and Contingent Expenses of said Department.</i> — For losses on drafts of consuls, marshals of the United States, consular courts, and interpreters, for the period ending June thirtieth, eighteen hundred and sixty-three, ten thousand dollars.	Contingencies.
For rent of prison, wages of keepers of the same, and care of offenders at Amoy, from July first, eighteen hundred and sixty, to June thirtieth, eighteen hundred and sixty-one, in pursuance of the provisions of the act approved June twenty-second, eighteen hundred and sixty, the sum of eight hundred and fifty-eight dollars and twenty-seven cents.	1860, ch. 179, § 25. Ante, p. 77.
For publishing the laws in pamphlet form, and in newspapers of the	Laws.

- State Department. States and Territories, and in the city of Washington, seventeen thousand one hundred and twenty-five dollars.
- Laws. For proof-reading, and packing the laws and documents for the various legations and consulates, including boxes and transportation of the same, five thousand dollars.
- For stationery, blank books, binding, furniture, fixtures, and repairs, ten thousand dollars.
- For miscellaneous items, two thousand five hundred dollars.
- For copper-plate printing, books, and maps, two thousand dollars.
- For extra clerk hire and copying, five thousand dollars.
- Northeast Executive Building. *Northeast Executive Building.* — For compensation of four watchmen and two laborers of the Northeast Executive Building, three thousand six hundred dollars.
- For contingent expenses of said building, viz: for fuel, light, repairs, and miscellaneous expenses, four thousand five hundred dollars.
- Treasury Department. *Treasury Department.* — For compensation of the Secretary of the Treasury, Assistant Secretary of the Treasury, clerks, messenger, assistant messenger, and laborers in his office, fifty-three thousand eight hundred dollars.
- 1st Comptroller's office. For compensation of the First Comptroller, and the clerks, messenger, and laborers in his office, thirty-three thousand seven hundred and forty dollars.
- 2d Comptroller's office. For compensation of the Second Comptroller, and the clerks, messenger, and laborer in his office, twenty-eight thousand two hundred and forty dollars.
- 1st Auditor's office. For compensation of the First Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, forty-two thousand nine hundred and forty dollars.
- 2d Auditor's office. For compensation of the Second Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, thirty-eight thousand one hundred and forty dollars.
- 3d Auditor's office. For compensation of the Third Auditor, and the clerks, messenger, assistant messenger, and laborers in his office, ninety-three thousand four hundred and forty dollars.
- 4th Auditor's office. For compensation of the Fourth Auditor, and the clerks, messenger, and assistant messenger in his office, thirty-one thousand nine hundred and forty dollars.
- 5th Auditor's office. For compensation of the Fifth Auditor, and the clerks, messenger, and laborer in his office, seventeen thousand eight hundred and forty dollars.
- Office of Auditor for P. O. Department. For compensation of the Auditor of the Treasury for the Post-Office Department, and the clerks, messenger, assistant messenger, and laborers in his office, one hundred and eighty-two thousand seven hundred and forty dollars.
- Treasurer's office. For compensation of the Treasurer of the United States, and the clerks, messenger, assistant messenger, and laborers in his office, twenty-eight thousand seven hundred and forty dollars.
- Register's office. For compensation of the Register of the Treasury, and the clerks, messenger, assistant messenger, and laborers in his office, fifty-three thousand three hundred and forty dollars.
- Solicitor's office. For compensation of the Solicitor of the Treasury, and the clerks and messenger in his office, eighteen thousand five hundred and forty dollars.
- Office of Commissioner of Customs. For compensation of the Commissioner of Customs, and the clerks, messenger, and laborer in his office, twenty thousand four hundred and forty dollars.
- Light-house Board. For compensation of the clerks, messenger, and laborer of the Light house Board, nine thousand two hundred and forty dollars.

Contingent Expenses of the Treasury Department.

Treasury Department, contingencies. Secretary's office.

In the office of the Secretary of the Treasury :

For copying, labor, blank books, binding, sealing ships' registers, translating foreign languages, advertising, and extra clerk hire for preparing and collecting information to be laid before Congress, and for miscellaneous items, twenty thousand dollars.

For compensation of additional clerks who may be employed by the Secretary, according to the exigencies of the public service, fifty thousand dollars.

In the office of the First Comptroller :

1st Comptroller's office.

For furniture, blank books, binding, stationery, public documents, State and Territorial statutes, and miscellaneous items, one thousand eight hundred dollars.

In the office of the Second Comptroller :

2d Comptroller's office.

For blank books, binding, stationery, and miscellaneous items, including subscription to the National Intelligencer, to be bound and preserved for the use of the office, one thousand two hundred dollars.

In the office of the First Auditor :

1st Auditor's office.

For blank books, binding, stationery, and miscellaneous items, subscription to the National Intelligencer, including one thousand five hundred dollars for furnishing rooms in the Treasury building for the office, and expenses of removing the office from its present location, three thousand dollars.

In the office of the Second Auditor :

2d Auditor's office.

For blank books, binding, stationery, office furniture, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved, for the use of the office, and for additional office furniture for the contemplated increase of the clerical force of the office, two thousand dollars.

In the office of the Third Auditor :

3d Auditor's office.

For blank books, binding, stationery, office furniture, carpeting, two newspapers, preserving files and papers, bounty land service, and miscellaneous items, two thousand two hundred dollars.

In the office of the Fourth Auditor :

4th Auditor's office.

For contingent expenses of the office, one thousand five hundred dollars.

In the office of the Fifth Auditor :

5th Auditor's office.

For blank books, binding, office furniture, and miscellaneous expenses, in which are included two daily newspapers, one thousand dollars.

In the office of the Auditor of the Treasury for the Post Office Department :

Auditor for P. O. Department.

For blank books, binding and ruling, furniture, carpeting, stationery, horse and carriage for the use of the office, labor, lights, and miscellaneous items, ten thousand one hundred and fifty dollars.

In the office of the Treasurer :

Treasurer's office.

For contingent expenses of the office, one thousand five hundred dollars.

In the office of the Register :

Register's office.

For ruling and full-binding books for recording collectors' quarterly abstracts of commerce and navigation, and blank abstracts for their use, blank books, binding, and stationery, arranging and binding cancelled marine papers, cases for official papers and records, and miscellaneous items, including office furniture and carpeting, six thousand dollars.

Office of the Solicitor of the Treasury :

Solicitor's office.

For blank books, binding, stationery, labor, and miscellaneous items, and for statutes and reports, two thousand two hundred dollars.

Office of the Commissioner of Customs :

Office of Commissioner of Customs.

For blank books, stationery, and miscellaneous items, two thousand dollars.

Light-house Board.

Light-house Board :

Southeast Executive Building.

For stationery, miscellaneous expenses, and postage, six hundred dollars. *For the General Purposes of the Southeast Executive Building, including the Extension.*— For compensation of twelve watchmen and eleven laborers of the Southeast Executive Building, thirteen thousand eight hundred dollars.

For contingent expenses of said building, fuel, light, labor, and miscellaneous items, twenty thousand dollars.

Department of the Interior. Secretary's office.

Department of the Interior.— For compensation of the Secretary of the Interior, and the clerks, messenger, assistant messengers, watchmen, and laborers in his office, forty-one thousand seven hundred dollars.

General Land-Office.

For compensation of the Commissioner of the General Land Office, and the recorder, draughtsman, assistant draughtsman, clerks, messengers, assistant messengers, packers, watchmen and laborers in his office, one hundred and seventy-five thousand four hundred and forty dollars.

Additional clerks. 1855, ch. 207. Vol. x. p. 701. Proviso.

For additional clerks in the General Land Office, under the act of third March, one thousand eight hundred and fifty-five, granting bounty land, and for laborers employed therein, fifty-eight thousand four hundred dollars: *Provided*, That the Secretary of the Interior, at his discretion, shall be, and he is hereby, authorized to use any portion of said appropriation for piece work, or by the day, week, month, or year, at such rate or rates as he may deem just and fair, not exceeding a salary of twelve hundred dollars per annum.

Commissioner of Indian Affairs,

For compensation of the Commissioner of Indian Affairs, and the clerks, messenger, assistant messenger, watchmen, and laborer in his office, thirty-one thousand nine hundred and forty dollars.

of Pensions.

For compensation of the Commissioner of Pensions, and the clerks, messenger, assistant messengers, watchman, and laborers in his office, one hundred and ten thousand five hundred and forty dollars.

Contingent expenses. Secretary's office.

Contingent Expenses— Department of the Interior.

Office of the Secretary of the Interior :

For books, stationery, furniture, fuel, lights, and other contingencies, and for books and maps for the library, seven thousand dollars.

For casual repairs of the Patent-Office building, fifteen hundred dollars.

For expenses of packing and distributing Congressional journals and documents, in pursuance of the provisions contained in the joint resolution of Congress approved twenty-eighth January, eighteen hundred and fifty-seven, and act fifth February, eighteen hundred and fifty-nine, six thousand dollars: *Provided*, That the said journals and documents shall be sent to such libraries and public institutions only as shall signify a willingness to pay the cost of the transportation of the same.

Office of Indian Affairs.

Office of Indian Affairs :

For blank books, binding, stationery, fuel, lights, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office, five thousand dollars.

General Land Office.

General Land Office :

For cash system and military patents, under laws prior to thirtieth September, eighteen hundred and fifty; patent and other records; tract books and blank books for this and the district land-offices; binding plats and field-notes; stationery, furniture, and repairs of same, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office; also, for contingent expenses, in addition, under swamp land act of twenty-eighth September, eighteen hundred and fifty, military bounty land acts of twenty-eighth September, eighteen hundred and fifty, and twenty-second March, eighteen hundred and fifty-two, and act thirty-first August, eighteen hundred and fifty-two, for the satisfaction of Virginia land-warrants, and for contingent expenses under act of third March, eighteen hundred and fifty-five,

1850, ch. 84.

1850, ch. 85.

1852, ch. 19.

1852, ch. 114.

1855, ch. 207.

granting bounty lands, patent, and other records, stationery, and miscellaneous items, on account of bounty land under said act, thirty thousand dollars.

For fuel, lights, and incidental expenses attending the same, including pay of furnace-keeper, two thousand dollars.

Pension Office:

Pension office.

For stationery, binding books, furniture, and repairing the same; miscellaneous items, including two daily city newspapers, to be filed, bound, and preserved for the use of the office; and for engraving and retouching plates for bounty land warrants, printing and binding the same, ten thousand dollars.

For compensation of the Commissioner of Public Buildings, and the clerk and messenger in his office, four thousand two hundred dollars.

Commissioner of Public Buildings.

For stationery, blank books, plans, drawings, and other contingent expenses of the office of the Commissioner of Public Buildings, five hundred dollars.

Surveyors General and their Clerks. — For compensation of the surveyor general of Wisconsin and Iowa, and the clerks in his office, eight thousand three hundred dollars.

Surveyors General and their clerks.

For compensation of the surveyor general of Oregon, and the clerks in his office, seven thousand five hundred dollars.

Wisconsin and Iowa.
Oregon.

For compensation of the surveyor general of California, and the clerks in his office, fifteen thousand five hundred dollars.

California.

For compensation of the surveyor general of Washington Territory, and the clerks in his office, seven thousand dollars.

Washington Territory.

For compensation of the surveyor general of New Mexico, and the clerks in his office, seven thousand dollars.

New Mexico.

For compensation of translator in the office of the surveyor general of New Mexico, one thousand eight hundred and twenty-six dollars and nine cents.

For compensation of the surveyor general of Kansas and Nebraska, and the clerks in his office, eight thousand three hundred dollars.

Kansas and Nebraska.

For compensation of the surveyor general of Minnesota, and the clerks in his office, eight thousand three hundred dollars.

Minnesota.

For compensation of the surveyor general of the Territory of Colorado, and the clerks in his office, seven thousand dollars.

Colorado Territory.

For compensation of the surveyor general of the Territory of Dakota, and the clerks in his office, eight thousand three hundred dollars.

Dakota Territory.

For rent of surveyor general's office in Oregon, fuel, books, stationery, and other incidental expenses, one thousand four hundred dollars.

Oregon.

For rent of surveyor general's office in California, fuel, books, stationery, and other incidental expenses, including pay of messenger, four thousand dollars.

California.

For office rent for the surveyor general of Washington Territory, fuel, books, stationery, and other incidental expenses, two thousand dollars.

Washington Territory.

For rent of the surveyor general's office in New Mexico, fuel, books, stationery, and other incidental expenses, two thousand nine hundred and fourteen dollars and thirty-six cents.

New Mexico.

For office rent of the surveyor general of Kansas and Nebraska, fuel, books, and incidental expenses, two thousand dollars.

Kansas and Nebraska.

For rent of the surveyor general's office in the Territory of Colorado, fuel, books, stationery, and other incidental expenses, two thousand dollars.

Colorado Territory.

For rent of the surveyor general's office in the Territory of Dakota, fuel, books, stationery, and other incidental expenses, two thousand dollars.

Dakota Territory.

For salary of the recorder of land titles in Missouri, five hundred dollars.

Recorder in Missouri.

War Department. — For compensation of the Secretary of War, and the clerks, messenger, assistant messenger, and laborer in his office, twenty-five thousand dollars.

War department

- Secretary's office.** For compensation of the temporary clerks and messengers in the office of the Secretary of War, ten thousand six hundred and eighty dollars.
- Additional clerks, &c., in offices of Secretary, &c.** For compensation of additional clerks, messengers, and laborers in the offices of the Secretary of War, Adjutant General, Surgeon General, Quartermaster General, Paymaster General, Chief Engineer, Chief of Ordnance, and Commissary General, appointed under authority of act of January twenty-seventh, eighteen hundred and sixty-two, sixty-three thousand three hundred and sixty dollars.
- 1862, ch. 12, ante, p. 333.
- Office of Adjutant General,** For compensation of the clerks and messenger in the office of the Adjutant General, thirteen thousand six hundred and forty dollars.
- of Quartermaster General,** For compensation of the clerks and messenger in the office of the Quartermaster General, sixteen thousand four hundred and forty dollars.
- of Paymaster General,** For compensation of the temporary clerks and messengers in the Quartermaster General's office, fifteen thousand four hundred and eighty dollars.
- of Commissary General,** For compensation of the clerks and messenger in the office of the Paymaster General, twelve thousand four hundred and forty dollars.
- of Surgeon General,** For compensation of the temporary clerks in the office of the Paymaster General, nine thousand dollars.
- of Topographical Engineer,** For compensation of the clerks, messenger, and laborer in the office of the Commissary General, ten thousand and forty dollars.
- of Chief Engineer,** For compensation of the temporary clerks in the office of the Commissary General, six thousand four hundred dollars.
- of Colonel of Ordnance.** For compensation of the clerks and messenger in the office of the Surgeon General, five thousand two hundred and forty dollars.
- Contingencies of War Department.** For compensation of the temporary clerk in the office of the Surgeon General, one thousand six hundred dollars.
- For compensation of the clerks, messenger, and laborer in the office of Topographical Engineers, ten thousand six hundred and forty dollars.
- For compensation of temporary clerks in the office of Topographical Engineers, three thousand two hundred dollars.
- For compensation of the clerks and messenger in the office of the Chief Engineer, eight thousand two hundred and forty dollars.
- For compensation of the clerks and messenger in the office of the Colonel of Ordnance, twelve thousand two hundred and forty dollars.
- For compensation of the temporary clerks in the Office of the Colonel of Ordnance, two thousand four hundred dollars.
- Contingent Expenses of the War Department.* —
- Office of the Secretary of War :
For blank books, stationery, books, maps, extra clerk hire, and miscellaneous items, eight thousand dollars.
- Office of the Adjutant General :
For blank books, binding, stationery, and miscellaneous items, three thousand two hundred dollars.
- Office of the Quartermaster General :
For blank books, binding, stationery, and miscellaneous items, four thousand dollars.
- Office of the Paymaster General :
For blank books, binding, stationery, and miscellaneous items, one thousand five hundred dollars.
- Office of the Chief Engineer :
For blank books, binding, stationery, and miscellaneous items, one thousand five hundred dollars.
- Office of the Surgeon General :
For blank books, binding, stationery, and miscellaneous items, one thousand dollars.
- Office of the Colonel of Ordnance :
For blank books, binding, stationery, and miscellaneous items, two thousand dollars.

Office of the Colonel of Topographical Engineers :

For blank books, binding, stationery, and miscellaneous items, two thousand dollars.

For the General Purposes of the Northwest Executive Building. — For compensation of superintendent, four watchmen, and two laborers of the Northwest Executive Building, three thousand eight hundred and fifty dollars. Northwest Executive Building.

For labor, fuel, light, and miscellaneous items, five thousand dollars.

For the General Purposes of the building corner of F and Seventeenth Streets. — For compensation of superintendent, four watchmen, and two laborers for said building, three thousand eight hundred and fifty dollars. Building corner of F and Seventeenth Streets.

For fuel, compensation of firemen, and miscellaneous items, five thousand five hundred dollars.

Navy Department. — For compensation of the Secretary of the Navy, Assistant Secretary of the Navy, and the clerks, messenger, assistant messenger, and laborer in his office, forty-three thousand two hundred dollars. Navy department.

For compensation of additional clerks in the office of the Secretary of the Navy, appointed under authority of act of the twenty-seventh of January, eighteen hundred and sixty-two, four thousand eight hundred dollars. Secretary's office
1862, ch. 12, ante, p. 333.

For compensation of the Chief of the Bureau of Navy Yards and Docks, and the clerks, messenger, and laborer in his office, fourteen thousand one hundred and forty dollars. Bureau of Yards and Docks,

For compensation of the Chief of the Bureau of Ordnance and Hydrography, and the clerks, messenger, and laborer in his office, twelve thousand three hundred and forty dollars. of Ordnance and Hydrography,

For compensation of the Chief of the Bureau of Construction, Equipment, and Repairs, and of the Engineer-in-Chief, and the clerks, messenger, and laborers in his office, twenty-one thousand three hundred and forty dollars. of Construction, Equipment, and Repairs,

For compensation of the clerks, messenger, and laborer in the Bureau of Provisions and Clothing, eight thousand eight hundred and forty dollars. of Provisions and Clothing,

For compensation of the Chief of the Bureau of Medicine and Surgery, and the clerks, messenger, and laborer in his office, nine thousand five hundred and forty dollars. of Medicine and Surgery.

Contingent Expenses of the Navy Department. —

Office Secretary of the Navy :

For blank books, binding, stationery, labor, plans, drawings, maps, newspapers, books, periodicals, and miscellaneous items, two thousand eight hundred and forty dollars. Contingent expenses of Navy Department.

Bureau of Yards and Docks :

For stationery, books, plans, drawings, and miscellaneous items, eight hundred dollars.

Bureau of Ordnance and Hydrography :

For blank books, stationery, and miscellaneous items, seven hundred and fifty dollars.

Bureau of Construction, Equipment, and Repairs :

For blank books, binding, stationery, printing, and miscellaneous items, eight hundred dollars.

Bureau of Provisions and Clothing :

For blank books, stationery, and miscellaneous items, seven hundred dollars.

Bureau of Medicine and Surgery :

For blank books, stationery, and miscellaneous items, four hundred and fifty dollars.

For the General Purposes of the Southwest Executive Building. — For compensation of five watchmen of the Southwest Executive Building, three thousand dollars. Southwest Executive Building.

Southwest Executive Building.

For contingent expenses of said building, viz.:
For labor, fuel, lights, and miscellaneous items, four thousand four hundred dollars.

Post Office Department.

Post Office Department.—For compensation of the Postmaster General, three Assistant Postmasters General, and the clerks, messenger, assistant messengers, watchmen, and laborers of said department, one hundred and fifty-eight thousand two hundred and twenty dollars.

Additional clerks.

For compensation of twenty-five additional clerks, to be appointed by the Postmaster General under the second section of the act entitled "An act to promote the efficiency of the dead letter office," approved January twenty-first, eighteen hundred and sixty-two, twenty thousand dollars.

1862, ch. 8, ante, p. 332.

Contingencies of Post Office Department.

Contingent Expenses of the Post Office Department.—For blank books, binding, and stationery, fuel for the General Post Office building, including the Auditor's office, oil, gas, and candles, printing; repairs of the General Post Office building, office furniture, glazing, painting, white-washing, and for keeping the fireplaces and furnaces in order, for watchmen, engineer, (for steam engine,) laborers, repairs of furniture, and for miscellaneous items, thirty thousand dollars.

Mint at Philadelphia.

Mint of the United States at Philadelphia.—For salaries of the director, treasurer, assayer, melter, and refiner, chief coiner and engraver, assistant assayer, assistant melter and refiner, and seven clerks, twenty-seven thousand nine hundred dollars.

For wages of workmen and adjusters, one hundred and eleven thousand eight hundred dollars.

For incidental and contingent expenses, including repairs and wastage, fifty thousand dollars.

For specimens of ores and coins to be preserved in the cabinet at the mint, three hundred dollars.

For transportation of bullion from New York assay office to the United States mint for coinage, twenty thousand dollars.

San Francisco.

At San Francisco, California.—For salaries of superintendent, treasurer, assayer, melter and refiner, coiner, and six clerks, thirty thousand five hundred dollars.

For wages of workmen and adjusters, one hundred and five thousand dollars.

For incidental and contingent expenses, forty-five thousand and forty dollars.

Assay Office, New York.

Assay Office, New York.—For salaries of officers and clerks, twenty-four thousand nine hundred dollars.

For wages of workmen, forty thousand dollars.

For incidental and contingent expenses, in addition to other available means, thirty-five thousand dollars.

Governments in the Territories.

GOVERNMENTS IN TERRITORIES.

New Mexico.

Territory of New Mexico.—For salaries of governor, three judges, and secretary, twelve thousand dollars.

For contingent expenses of said Territory, one thousand dollars.

For interpreter and translator in the executive office, five hundred dollars.

Proviso.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars: *Provided*, That five thousand dollars, or so much thereof as may be necessary, shall be used to revise and print the laws of New Mexico.

Utah.

Territory of Utah.—For salaries of governor, three judges, and secretary, twelve thousand dollars.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative as-

assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.	Territories.
<i>Territory of Washington.</i> — For salaries of governor, three judges, and secretary, twelve thousand five hundred dollars.	Washington.
For contingent expenses of said Territory, one thousand five hundred dollars.	
For compensation and mileage of the members of the legislative assembly, officers, clerk, and contingent expenses of the assembly, twenty thousand dollars.	
<i>Territory of Nebraska.</i> — For salaries of governor, three judges, and secretary, ten thousand five hundred dollars.	Nebraska.
For contingent expenses of said Territory, one thousand dollars.	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.	
<i>Territory of Colorado.</i> — For salaries of governor, three judges, and secretary, nine thousand seven hundred dollars.	Colorado.
For contingent expenses of said Territory, one thousand dollars.	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.	
<i>Territory of Nevada.</i> — For salaries of governor, three judges, and secretary, nine thousand seven hundred dollars.	Nevada.
For contingent expenses of said Territory, one thousand dollars.	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.	
<i>Territory of Dakota.</i> — For salaries of governor, three judges, and secretary, nine thousand seven hundred dollars.	Dakota.
For contingent expenses of said Territory, one thousand dollars.	
For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.	
<i>Judiciary.</i> — For salaries of the Chief Justice of the Supreme Court, and eight associate justices, fifty-four thousand five hundred dollars.	Judiciary, Supreme Court, &c.
For salaries of the district judges, one hundred and fifteen thousand seven hundred and fifty dollars.	
For salary of the circuit judge of California, six thousand dollars.	
For salaries of the chief justice of the District of Columbia, the associate judges, and the judges of the criminal court and the orphans' court, fifteen thousand seven hundred and fifty dollars.	
<i>Office of the Attorney General.</i> — For salaries of the Attorney General, Assistant Attorney General, and the clerks and messenger in his office, twenty thousand three hundred dollars.	Office of Attorney General.
Contingent expenses of the office of the Attorney General, namely :	
For fuel, labor, furniture, stationery, and miscellaneous items, three thousand dollars.	
For purchase of law and necessary books for the office of the Attorney General, two hundred and fifty dollars.	
For legal assistance and other necessary expenditures in the disposal of private land claims in California, ten thousand dollars.	Expenses of California land claims.
For special and other extraordinary expenses of California land claims, twenty thousand dollars.	
For salary of the reporter of the decisions of the Supreme Court, one thousand three hundred dollars.	Reporter.
For compensation of the district attorneys, eighteen thousand five hundred and fifty dollars.	District Attorneys.
For compensation of the marshals, eleven thousand dollars.	Marshals
For defraying the expenses of the Supreme, circuit, and district courts	

Court expenses
and prosecution
of crime.

of the United States, including the District of Columbia; also for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures incurred in the fiscal year ending June thirtieth, eighteen hundred and sixty-three, and previous years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, one million dollars.

Independent
Treasury.

Independent Treasury. — For salaries of the assistant treasurers of the United States at New York, Boston, Charleston, and Saint Louis, sixteen thousand five hundred dollars.

For additional salaries of the treasurer of the mint at Philadelphia of one thousand dollars, and of the treasurer of the branch mint at New Orleans of five hundred dollars, one thousand five hundred dollars.

1846, ch. 90.

1848, ch. 166.

1851, ch. 32.

1855, ch. 175.

1861, ch. 22.

For salaries of five additional clerks authorized by the acts of sixth August, eighteen hundred and forty-six, and paid under acts of twelfth August, eighteen hundred and forty-eight, third March, eighteen hundred and fifty-one, third March, eighteen hundred and fifty-five, and twenty-seventh July, eighteen hundred and sixty-one, six thousand dollars.

For salary of additional clerks, messengers, and watchmen in office of assistant treasurer at Boston, five thousand nine hundred dollars.

For salaries of clerks, messengers, and watchmen in the office of the assistant treasurer at New York, twenty-one thousand one hundred dollars.

For additional amount for clerks, messenger, and watchmen in office of assistant treasurer at New York, ten thousand four hundred dollars.

For salaries of clerks, messengers, and laborers in the office of the assistant treasurer at St. Louis, four thousand five hundred dollars.

Steamboat In-
spectors.

1852, ch. 106.

Vol. x. p. 61.

For salaries of nine supervising and fifty local inspectors, appointed under act of thirtieth August, eighteen hundred and fifty-two, for the better protection of the lives of passengers, by steamboats, with travelling and other expenses incurred by them, eighty thousand dollars.

For contingent expenses, under the act sixth August, eighteen hundred and forty-six, for the safe-keeping, collection, transfer, and disbursement of the public revenue, in addition to premium which has been or may be received on transfer drafts: *Provided*, That no part of said sum shall be expended for clerical services, five thousand dollars.

1846, ch. 90.

Vol. ix. p. 59.

Proviso.

For compensation to the laborer in charge of the water-closets in the Capitol, four hundred and thirty-eight dollars.

For compensation to the public gardener, one thousand four hundred and forty dollars.

For compensation of a foreman and twenty-one laborers employed in the public grounds, thirteen thousand four hundred dollars.

For compensation of the keeper of the western gate, Capitol square, eight hundred and seventy-six dollars.

For compensation of two day watchmen employed in the Capitol square, one thousand two hundred dollars.

For compensation of two night watchmen employed at the President's House, one thousand two hundred dollars.

For compensation of the doorkeeper at the President's House, six hundred dollars.

For compensation of the assistant doorkeeper at the President's House, six hundred dollars.

For compensation of one night watchman employed for the better protection of the buildings lying south of the Capitol, and used as public stables and carpenters' shops, six hundred dollars.

For compensation of watchmen employed on reservation number two, six hundred dollars.

Draw-keepers
at bridges.

For compensation of four draw-keepers at the Potomac bridge, and for fuel, oil, and lamps, three thousand two hundred and sixty-six dollars.

For compensation of two draw-keepers at the two bridges across the eastern branch of the Potomac, and for fuel, oil, and lamps, one thousand one hundred and eighty dollars.

For salary and other necessary expenses of the Metropolitan police for the District of Columbia, one hundred thousand dollars. Metropolitan Police.

For furnace-keeper at the President's House, six hundred dollars.

To enable the Commissioner of Public Buildings to employ a keeper of the three furnaces under the old hall of the House of Representatives, six hundred dollars.

For a deficiency for the present fiscal year for keeping said furnaces nine months, four hundred dollars. Deficiency for furnaces.

Expenses of the Collection of Revenue from Lands.

To meet the expenses of collecting the revenue from the sale of public lands in the several States and Territories: Collection of revenue from lands.

For salaries and commissions of registers of land offices and receivers of public moneys, two hundred and fifteen thousand two hundred dollars.

For expenses of depositing public moneys by receivers of public moneys, twenty-seven thousand five hundred and fifty dollars.

For incidental expenses of the several land offices, forty thousand dollars.

Penitentiary. — For compensation of the warden, clerk, physician, chaplain, assistant keepers, guards, and matron of the penitentiary of the District of Columbia, sixteen thousand and eighty dollars. Penitentiary.

For compensation of three inspectors of said penitentiary, seven hundred and fifty dollars.

For the support and maintenance of said penitentiary, thirteen thousand two hundred and ninety-three dollars and seventy-five cents.

SEC. 2. *And be it further enacted,* That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the fiscal year ending thirtieth of June, eighteen hundred and sixty-two, viz.: Appropriation for year ending June 30, 1862.

For keeping in repair and partially finishing and furnishing the Post Office building, to be expended under the direction of the Postmaster General, twenty thousand dollars. Post-office building.

For paper and printing blanks for the Executive Departments, thirty thousand dollars. Paper and blanks.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the employ of the House of Representatives, three thousand seven hundred and sixty-seven dollars and twenty-four cents. Contingent expenses of House of Representatives.

For compensation of clerks to committees, and temporary clerks in the office of the Clerk of the House of Representatives, eight hundred and twelve dollars.

For twenty-four copies of the Congressional Globe and Appendix for each member and delegate in the first regular session of the thirty-seventh Congress, four thousand seven hundred and seventy-eight dollars and forty cents.

For folding documents, ten thousand dollars.

For furniture and repairs, and boxes for members, seven thousand dollars.

For newspapers, nine thousand three hundred dollars.

For stationery, eight thousand three hundred and seventy dollars.

For contingent expenses of the Senate, namely:

For compensation of three messengers appointed under authority of a resolution of the Senate of July nineteenth, eighteen hundred and sixty-one, three thousand six hundred dollars. Contingent expenses of Senate.

For binding, twenty thousand dollars.

For lithographing and engraving, thirty thousand dollars.

For stationery, twelve thousand dollars.

- Contingencies of Senate. For reporting proceedings, three thousand dollars.
For Congressional Globe and Appendix, at the first session of the thirty-seventh Congress, six thousand one hundred and eighty-four dollars and twenty cents.
For clerks to committees, pages, horses, and carryalls, seven thousand dollars.
- Miscellaneous. For miscellaneous items, thirty thousand dollars.
- Capitol Police. For Capitol police, one thousand five hundred dollars.
- Surveyor General. For compensation of the surveyor general of Illinois and Missouri, two thousand dollars.
- Illinois. For rent of the surveyor general's office in New Mexico, fuel, books, Missouri. stationery, and other incidental expenses, nine hundred and fourteen dollars and thirty-six cents.
New Mexico.
- 4th Auditor. For contingent expenses of the office of the Fourth Auditor, seven hundred dollars.
- Attorney-General. For the payment of the salaries of two clerks in the Attorney General's office, appointed under authority of act of second August, eighteen hundred and sixty-one, one thousand four hundred dollars.
1861, ch. 37.
Ante, p. 285.
- Additional clerks in offices of Secretary of War, &c. For compensation of additional clerks, messengers, and laborers in the offices of the Secretary of War, Adjutant General, Surgeon General, Quartermaster General, Paymaster General, Chief Engineer, Chief of Ordnance, and Commissary General, appointed under authority of act of January twenty-seventh, eighteen hundred and sixty-two, twenty-six thousand four hundred dollars.
1862, ch. 12,
ante, p. 333.
- Assistant Secretaries of War. For compensation of two Assistant Secretaries of War, appointed under act of January twenty-two, eighteen hundred and sixty-two, one year from the date of their appointment, six thousand dollars.
- Additional clerks in Navy Department. For compensation of additional clerks in the office of the Secretary of the Navy, authorized by act of January twenty-seven, eighteen hundred and sixty-two, two thousand dollars.
1862, ch. 12.
- Water-pipes, hydrants, &c. For necessary expenses for supply of water-pipes, hydrants, hose, apparatus, and employment of firemen for the protection of the public stores and hospitals in the city of Washington, the sum of ten thousand dollars, or so much thereof as may be necessary for that purpose, to be expended under the direction of the Secretary of War: *Provided*, That no more than one fireman shall be employed at each store or hospital, and at a compensation not exceeding five hundred dollars per annum.
- Library of Congress. To enable the Commissioner of Public Buildings to replace the thin glass in the roof of the Library of Congress with glass of a proper thickness, and to ventilate the Library, nine hundred dollars.
- Exploring Expedition. For putting the plates of the Exploring Expedition in order for preservation, and transporting them and the other effects of the expedition to Washington, to be preserved in some of the public buildings or at the Smithsonian Institution, two thousand dollars; to be expended under the Joint Committee on the Library of Congress; and if any part of this appropriation shall remain unexpended for these purposes, the same may be applied, if necessary, to the completion of volume twenty-three of the works of said Exploring Expedition, or to the payment of any arrears of rent, or claims for service due on account of any of said works.
- Patent Office building. For completing the work on the Patent Office Building, so far as to preserve the materials already prepared, fifteen thousand dollars.
- Mileage and salaries of John Kline, Joseph Segar, and John M. Butler. To pay the mileage and salaries of John Kline, Joseph Segar, and John M. Butler, while contesting seats in the House of Representatives, per resolution of the House of Representatives of March fourth, eighteen hundred and sixty-two, nine thousand dollars; but only so much salary or mileage shall be paid to either as he would have been entitled to up to the time of his rejection, if he had been duly elected.
- Compensation to district attor- SEC. 3. *And be it further enacted*, That the President of the United States is hereby authorized to expend during the fiscal year ending the

thirtieth of June, eighteen hundred and sixty-three, so much of the appropriation of second of March, eighteen hundred and sixty-one, as he may deem expedient and proper, not exceeding in the whole ten thousand dollars, for compensation to the United States marshals, district attorneys, and other persons employed in enforcing the laws for the suppression of the slave trade, for any services they may render, and for which no allowance is otherwise provided for by law.

neys, &c., for services in suppression of the slave trade.

1861, ch. 84, § 1. Ante, p. 219.

SEC. 4. *And be it further enacted*, That, from and after the first day of July next, and until otherwise ordered by the President, the Territories of Utah and Colorado shall constitute one surveying district; and the duties of surveyor general in said district shall be performed by the surveyor general of Colorado; and the surveying district of Nevada shall be united to that of California, the duties of the surveyor general of the former shall be performed by the surveyor general of California; and the transfer of the effects and archives of the said offices shall be made under the instruction of the Commissioner of the General Land Office.

Colorado and Utah to make one surveying district.

Nevada district united to California.

SEC. 5. *And be it further enacted*, That the Postmaster General be, and he is hereby, authorized and empowered to carry into effect the provisions heretofore made by law for refitting and repairing in the city of Philadelphia the building now owned by the United States, on Chestnut street, for the use of a post office and the holding of the United States courts in said city: *Provided, nevertheless*, That the whole expense of said alterations and improvements shall not exceed in cost the unexpended balance heretofore appropriated by law for that purpose.

Post Office and Court House in Philadelphia.

Cost.

SEC. 6. *And be it further enacted*, That the President shall appoint in the Department of the Interior, by and with the advice and consent of the Senate, a competent person, who shall be called the Assistant Secretary of the Interior, whose salary shall be three thousand dollars, payable in the same manner as the salary of the Secretary of the Interior, who shall perform such duties in the Department of the Interior as shall be prescribed by the Secretary, or may be required by law, and who shall act as the Secretary of the Interior in the absence of that officer.

Assistant Secretary of the Interior.

Salary and duties.

Post, p. 534.

APPROVED, March 14, 1862.

CHAP. XLIII. — *An Act for a joint Commission for the Preservation of the Atlantic Fisheries.*

March 15, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to appoint a commissioner, to meet such commissioner as may be appointed on the part of Great Britain, and also one on the part of France, together to form a joint commission to frame measures to protect the fisheries off the coast of Newfoundland and North America against deterioration and destruction by means of set lines on the spawn banks, and like destructive practices.

Commission to preserve Atlantic fisheries.

SEC. 2. *And be it further enacted*, That, to enable the President to carry into effect this act, the sum of three thousand dollars be and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

Appropriation.

APPROVED, March 15, 1862.

CHAP. XLIV. — *An Act to amend "An Act to incorporate the Columbia Institution for the Instruction of the Deaf and Dumb and the Blind," and to make Appropriations for the Benefit thereof.*

March 15, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of four thousand four hundred dollars per annum, payable quarterly, shall be allowed for the payment of salaries and incidental expenses of said institution; and

1857, ch. 46. vol. xi. p. 161.

Columbia Institution for Deaf and Dumb, &c.

Appropriation for incidental expenses.

that four thousand four hundred dollars be, and is hereby appropriated, for that purpose, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year ending June thirty, eighteen hundred and sixty-three.

For erecting &c. additions to buildings.

SEC. 2. *And be it further enacted,* That the sum of nine thousand dollars be, and the same is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for the erection, furnishing, and fitting up of two additions to the buildings of said institution.

Receipts, &c., to be reported to Secretary of Interior.

SEC. 3. *And be it further enacted,* That all receipts and disbursements under this act shall be reported to the Secretary of the Interior, as required in the sixth section of the act to which this is an amendment.

APPROVED, March 15, 1862.

March 17, 1862.

CHAP. XLV.—*An Act to authorize the Purchase of Coin, and for other Purposes.*

Secretary of Treasury may purchase coin,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury may purchase coin with any of the bonds or notes of the United States, authorized by law, at such rates and upon such terms as he may deem most advantageous to the public interest; and may issue, under such rules and regulations as he may prescribe, certificates of indebtedness, such as are authorized by an act entitled "An act to authorize the Secretary of the Treasury to issue certificates of indebtedness to public creditors," approved March first, eighteen hundred and sixty-two, to such creditors as may desire to receive the same, in discharge of checks drawn by disbursing officers upon sums placed to their credit on the books of the Treasurer, upon requisitions of the proper departments, as well as in discharge of audited and settled accounts, as provided by said act.

may issue certificates of indebtedness, &c.

1862, ch. 35. *Ante*, p. 352.

Demand notes made a legal tender.

SEC. 2. *And be it further enacted,* That the demand notes authorized by the act of July seventeenth, eighteen hundred and sixty-one, and by the act of February twelfth, eighteen hundred and sixty-two, shall, in addition to being receivable in payment of duties on imports, be receivable, and shall be lawful money and a legal tender, in like manner, and for the same purposes, and to the same extent, as the notes authorized by an act entitled "An act to authorize the issue of United States notes, and for the redemption or funding thereof, and for funding the floating debt of the United States," approved February twenty-fifth, eighteen hundred and sixty-two.

1861, ch. 5. *Ante*, p. 259. 1862, ch. 20. *Ante*, p. 338.

1862, ch. 33. *Ante*, p. 345.

Temporary deposits of not over \$50,000,000 of United States notes may be made with Assistant Treasurer at not over 5 per cent. interest.

SEC. 3. *And be it further enacted,* That the limitation upon temporary deposits of United States notes with any assistant treasurers or designated depositaries, authorized by the Secretary of the Treasury to receive such deposits, at five per cent. interest, to twenty-five millions of dollars, shall be so far modified as to authorize the Secretary of the Treasury to receive such deposits to an amount not exceeding fifty millions of dollars, and that the rates of interest shall be prescribed by the Secretary of the Treasury not exceeding the annual rate of five per centum.

1862, ch. 33, § 4. *Ante*, p. 346.

Secretary of Treasury in re-issuing notes may replace mutilated ones.

SEC. 4. *And be it further enacted,* That, in all cases where the Secretary of the Treasury is authorized by law to re-issue notes, he may replace such as are so mutilated or otherwise injured as to be unfit for use with others of the same character and amount; and such mutilated notes, and all others which by law are required to be taken up and not re-issued, shall, when so replaced, or taken up, be destroyed in such manner and under such regulations as the Secretary of the Treasury may prescribe.

APPROVED, March 17, 1862.

CHAP. XLVI. — *An Act authorizing Floats to issue in Satisfaction of Claims against the United States for Lands sold by them within the Las Ormigas and La Nana Grants, in the State of Louisiana.* March 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Commissioner of the General Land Office to issue and deliver to the respective owner or owners of the Las Ormigas and La Nana tracts of land, formerly situate in the parish of Natchitoches, now parishes of Sabine and De Soto, in the State of Louisiana, or to his or their assigns or other legal representatives, certificates or floats, in the usual form, for so much land as may have been at any time heretofore sold, donated, granted, or reserved by the United States within said tracts of land or either of them; and which certificates or floats may be located by the owner or holder thereof on any lands belonging to the United States, and subject to private entry at a price not exceeding one dollar and twenty-five cents per acre, and which certificates or floats shall be in full satisfaction of all claims against the United States for lands so sold, donated, granted, or reserved: *Provided,* That as a condition precedent to the issuing of the floats hereinbefore authorized, the claimant, or claimants, shall present to the Commissioner of the General Land Office satisfactory evidence of title thereto, and that such claimants have been and continue to be loyal to the Government of the United States: *And provided further,* That such certificates and floats shall not exceed in gross seventeen thousand four hundred and seventy-seven and sixty-two hundredths acres.

Certificates may be issued to owners of the Las Ormigas and La Nana tracts of land.

How located.

Title to be first shown.

Certificates not to exceed a certain amount.

When act to take effect.

SEC. 2. *And be it further enacted,* That this act shall take effect immediately.

APPROVED, March 17, 1862.

CHAP. XLVII. — *An Act to provide for the Appointment of Sutlers in the Volunteer Service, and to define their Duties.* March 19, 1862.

Ante, p. 331.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inspector-generals of the army shall constitute a board of officers, whose duty it shall be to prepare, immediately after the passage of this act, a list or schedule of the following articles which may be sold by sutlers to the officers and soldiers of the volunteer service, to wit: Apples, dried apples, oranges, figs, lemons, butter, cheese, milk, sirup, molasses, raisins, candles, crackers, wallets, brooms, comforters, boots, pocket looking-glasses, pins, gloves, leather, tin washbasins, shirt buttons, horn and brass buttons, newspapers, books, tobacco, cigars, pipes, matches, blacking, blacking brushes, clothes brushes, tooth brushes, hair brushes, coarse and fine combs, emery, crocus, pocket handkerchiefs, stationery, armor oil, sweet oil, rotten stone, razor strops, razors, shaving soap, soap, suspenders, scissors, shoestrings, needles, thread, knives, pencils, and Bristol brick. Said list or schedule shall be subject, from time to time, to such revision and change as, in the judgment of the said board, the good of the service may require: *Provided, always,* That no intoxicating liquors shall at any time be contained therein, or the sale of such liquors be in any way authorized by said board. A copy of said list or schedule, and of any subsequent change therein, together with a copy of this act, shall be, without delay, furnished by said board to the commanding officer of each brigade and of each regiment not attached to any brigade in the volunteer service, and also to the adjutant-general of the army.

Board to prepare list of articles for sutlers to sell.

List.

Subject to revision.

No intoxicating liquors.

Copy of list, &c., to be furnished.

SEC. 2. *And be it further enacted,* That immediately upon the receipt from said board of said list or schedule and copy of this act by the commanding officer of any such brigade, the acting brigadier-general, surgeon, quartermaster, and commissary of said brigade shall constitute

Another board to affix price to each article in the list, and make report, &c.

a board of officers whose duty it shall be to affix to each article in said list or schedule a price for said brigade, which shall be by them forthwith reported to the commanding officer of the division, if any, to which said brigade is attached, for his approval, with or without modification, and who shall, after such approval, report the same to the inspector-generals, and the same, if not disapproved by them, shall be the price not exceeding which said articles may be sold to the officers and soldiers in said brigade. Whenever any brigade shall not be attached to a division said prices shall then be reported directly to the inspector-generals, and if approved by them, shall be the price fixed for such brigade as aforesaid; and whenever any regiment shall be unattached to any brigade the acting colonel, lieutenant-colonel, major, and captains thereof shall constitute the board of officers by whom the price of said articles shall be fixed for said regiment in the same manner as is herein provided for an unattached brigade. The prices so fixed may be changed by said boards respectively from time to time, not oftener than once in thirty days, but all changes therein shall be reported in like manner and for the same purpose as when originally fixed.

Prices may be changed, &c.

Brigade commander to cause a sutler to be selected for each regiment.

Report.

Vacancy, how filled.

Sutlers so chosen to have a lien on one sixth part of pay, &c.

Penalty for allowing or paying a greater sum,

or for certifying pay-roll for greater sum.

Sutlers to sell only articles in list,

to have no claim for more than one sixth, &c.,

SEC. 3. *And be it further enacted,* That it shall be the duty of the commanding officer of each brigade, immediately upon receipt of a copy of said list or schedule and copy of this act, as herein provided, to cause one sutler for each regiment in his brigade to be selected by the commissioned officers of such regiment, which selection shall be by him reported to the adjutant-general of the army; the person so selected shall be sole sutler of said regiment. And the commanding officer of each unattached regiment shall, in like manner, cause a selection of a sutler to be made for said regiment, who shall be sole sutler of said regiment. Any vacancy in the office of sutler from any cause shall be filled in the same way as an original appointment.

SEC. 4. *And be it further enacted,* That the sutlers chosen in the manner provided in the preceding section shall be allowed a lien only upon the pay of the officers, non-commissioned officers, and privates of the regiment for which he has been chosen, or those stationed at the post to which he has been appointed, and for no greater sum than one sixth of the monthly pay of each officer, non-commissioned officer, or private for articles sold during each month; and the amount of one sixth or less than one sixth of the pay of such officer, non-commissioned officer, or private, so sold to him by the sutler, shall be charged on the pay-rolls of such officer, non-commissioned officer, or private, and deducted from his pay, and paid over by the paymaster to the sutler of the regiment or military post, as the case may be: *Provided,* That if any paymaster in the service of the United States shall allow or pay any greater sum to any sutler than that hereby authorized to be retained from the pay of the officers, non-commissioned officers, musicians, and privates, for articles sold by any sutler during any one month, then the amount so allowed or paid by the paymaster shall be charged against the said paymaster and deducted from his pay and returned to the officer, non-commissioned officer, musician, or private, against whom the amount was originally charged. And any captain or lieutenant commanding a company who may certify any pay-roll bearing a charge in favor of the sutler against any officer, non-commissioned officer, musician, or private, larger or greater than one sixth of the monthly pay of such officer, non-commissioned officer, musician, or private, shall be punished at the discretion of a court-martial: *Provided, however,* That sutlers shall be allowed to sell only the articles designated in the list or schedule provided in this act, and none others, and at prices not exceeding those affixed to said articles, as herein provided: *And provided further,* That the sutlers shall have no legal claim upon any officer, non-commissioned officer, musician, or private, to an amount ex-

ceeding one sixth of his pay for articles sold during any month. He shall keep said list or schedule, together with a copy of this act, fairly written or printed, posted up in some conspicuous part of the place where he makes said sales, and where the same can be easily read by any person to whom he makes said sales.

Suttlers to keep list posted, &c.

SEC. 5. *And be it further enacted*, That it shall be the duty of the inspector-generals to cause the place of sale and articles kept for that purpose, by said sutlers, to be inspected from time to time, once in fifteen days at least, by some competent officer, specially detailed for that duty, and such changes in said place, or in the quality and character of the articles mentioned in said list or schedule, so kept as shall be required by said officer, shall be conformed to by each sutler. And such officer shall report each inspection to the inspector-generals.

Place of sale and articles to be inspected once in fifteen days.

Report.

SEC. 6. *And be it further enacted*, That no person shall be permitted to act as sutler unless appointed according to the provisions of this act; nor shall any person be sutler for more than one regiment; nor shall any sutler farm out or underlet the business of sutling or the privileges granted to him by his appointment; nor shall any officer of the army receive from any sutler any money or other presents; nor be interested in any way in the stock, trade, or business of any sutler; and any officer receiving such presents, or being thus interested, directly or indirectly, shall be punished at the discretion of a court-martial. No sutler shall sell to an enlisted man on credit to a sum exceeding one fourth of his monthly pay within the same month; nor shall the regimental quartermasters allow the use of army wagons for sutlers' purposes; nor shall the quartermasters' conveyances be used for the transportation of sutlers' supplies.

No person to act as sutler, unless, &c., and only for one regiment, not to underlet. Officer not to receive presents from sutler.

Penalty.

Limit of credit to men.

Wagons and transportation.

SEC. 7. *And be it further enacted*, That any sutler who shall violate any of the provisions of this act shall, by the colonel, with consent of the council of administration, be dismissed from the service, and be ineligible to a reappointment as sutler in the service of the United States.

Sutlers violating this act to be dismissed, &c.

APPROVED, March 19, 1862.

CHAP. XLVIII. — *An Act to provide for the Appointment of Clerks in the Office of the Assistant Treasurer at Boston, to fix their Salaries, and provide for the Absence of the Assistant Treasurer, and for other Purposes.* March 19, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of January, eighteen hundred and sixty-two, in lieu of the clerks heretofore authorized and provided, the Assistant Treasurer at Boston be, and he is hereby, authorized to appoint, with the approbation of the Secretary of the Treasury, one chief clerk at a salary of fifteen hundred dollars per annum, and one disbursing clerk at a salary of fifteen hundred dollars per annum, and one other clerk at a salary of twelve hundred dollars per annum, and one messenger at a salary of seven hundred dollars per annum; and the compensation for such clerks for the current and next fiscal year be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

Clerks in office of Assistant Treasurer in Boston.

Pay.

SEC. 2. *And be it further enacted*, That, in case of the sickness or unavoidable absence of the Assistant Treasurer, he may, in his discretion, authorize the chief clerk to act in his place, and to discharge all the duties required by law of the Assistant Treasurer.

Chief clerk when to act as Assistant Treasurer.

APPROVED, March 19, 1862.

March 25, 1862. **CHAP. XLIX.** — *An Act to secure to the Officers and Men actually employed in the Western Department, or Department of Missouri, their Pay, Bounty, and Pension.*

Post, p. 623.

Pay to officers and men in the department of the West or of Missouri.

Post, pp. 385, 324.

Pensions.

Proviso.

Heirs of those killed, &c., to have bounty and pay.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to allow and pay to the officers, non-commissioned officers, musicians, and privates who have been heretofore actually employed in the military service of the United States, whether mustered into actual service or not, where their services were accepted and actually employed by the generals who have been in command of the department of the West, or the department of the Missouri, the pay and bounty as in cases of regular enlistment.

SEC. 2. *And be it further enacted*, That the officers, non-commissioned officers, musicians, and privates so employed, who may have been wounded or incapacitated for service, shall be entitled to and receive the pension allowed for such disability: *Provided*, That the length and character of their enlistment and service be such as to entitle them under existing laws to such pension.

SEC. 3. *And be it further enacted*, That the heirs of those killed in battle, or of those who may have died from wounds received while so in service, shall be entitled to receive the bounty and pay to which they would have been entitled had they been regularly mustered into service: *Provided*, That the bounty and pay referred to in this act shall not be payable unless their term of enlistment and service be of such duration as to entitle them to receive the same, according to existing laws.

APPROVED, March 25, 1862.

March 25, 1862. **CHAP. L.** — *An Act to facilitate Judicial Proceedings in Adjudications upon Captured Property, and for the better Administration of the Law of Prize.*

Prize commissioners,

to receive and keep captured property,

to examine and report if any is perishable, &c.

to receive papers and documents.

Court to adjudge promptly.

Pilotage, wharfage, &c., how audited, allowed, and paid.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any property captured as prize shall be brought into any district of the United States for adjudication, it shall be the duty of the prize commissioners for such district forthwith to receive, seal, and safely keep the same, until process shall be issued out of the court, under which the same shall be placed in the custody of the marshal of such district. It shall be the further duty of said prize commissioners, at the time of taking such possession, and from time to time pending the adjudication, to examine into the condition of said property, and report to the court if the same, or any part thereof, be perishing or perishable, or deteriorating in value; and if the same be so found by the court, upon said report or other evidence, the court may thereupon order an interlocutory sale thereof by the United States marshal, and the deposit of the gross proceeds of such sale in the registry of the court to abide the further order of the court, whether a claim to said property has or has not been interposed. It shall be the further duty of the said prize commissioners to receive from the prize master all the papers and documents, and forthwith to proceed to take the testimony of the witnesses prescribed by law, pursuant to the rules and under the interrogatories adopted by the court, and separately from each other and unattended by counsel, and the said papers, documents, and testimony, securely to seal with their seals, and as soon as practicable deposit in the registry of the court; and thereafter, promptly and without unnecessary delay, the court shall proceed to hearing and adjudication.

SEC. 2. *And be it further enacted*, That all reasonable and proper claims and charges for pilotage, towage, wharfage, storage, insurance, and other expenses incident to the bringing in and safe custody and sale of the property captured as prize, shall be a charge upon the same, and having been audited and allowed by the court, shall, in event of a decree of condemnation or of restitution on payment of costs, be paid out of the

proceeds of any sale of the property, final or interlocutory, in the custody of the court. In case of a decree of restitution upon payment of costs, where no sale has been made, such charges and expenses shall constitute part of said costs to be paid by the claimant.

SEC. 3. *And be it further enacted,* That the prize commissioners, and also the district attorney, acting for the United States, and the counsel for the captors, shall be entitled to receive a just and suitable compensation for their several and respective services in each prize case or proceeding; and the same shall be adjusted and determined by the court upon due consideration of the facts and circumstances of each case and of the services actually rendered therein; and the same, when so adjusted, shall, in case of final condemnation or restitution on payment of costs, be paid out of the proceeds of the prize property in the custody of the court, or when no sale has been made, in whole or in part, as the court may direct by the claimant.

Pay of prize commissioners and of district attorney,
how determined and paid.
Post, p. 760.

SEC. 4. *And be it further enacted,* That whensoever a final decree of condemnation of property captured as prize shall have been made, unless an interlocutory sale has been made as hereinbefore provided for, the property shall be sold by the United States marshal pursuant to the practice and proceedings in admiralty, and the gross proceeds of such sale shall be forthwith deposited in court; and thereupon the prize commissioners shall proceed, under the direction of the court, to take the requisite evidence, and report the same to the court, to the end that a final decree shall be made determining what public ships of the United States are entitled to share in the prize, and whether the prize was of superior, equal, or inferior force to the vessel or vessels making the capture, and within thirty days after the entry of the same the clerk of the court shall transmit to the Treasury of the United States the moneys so deposited in court, together with a certified copy of the said decree, after deducting from said moneys the costs of court and the charges and expenses hereinbefore provided for.

Proceedings upon final decree of condemnation.
Sale,—proceeds of sale.
Shares of public vessels.

SEC. 5. *And be it further enacted,* That the provisions of this act shall apply as well to cases now pending as to all future cases of maritime captures, and to captures and seizures made under the laws for the abolition of the slave trade; and all laws and parts of laws inconsistent herewith are hereby repealed.

To what cases this act shall apply.

APPROVED, March 25, 1862.

CHAP. LI.—*An Act in Addition to an Act to refund and remit the Duties on Arms imported by States, approved July ten, eighteen hundred and sixty-one.* April 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the authority given to the Secretary of the Treasury to refund and remit the duties and imposts on all arms imported into the United States by or for the account of any State as provided in the act to which this is an addition, shall extend to arms for which orders or contracts were made prior to the first day of January, eighteen hundred and sixty-two: *Provided,* That said Secretary shall have satisfactory proofs exhibited to him that the said arms were actually purchased in a foreign country for account of a State, and that the price paid for the same by the State was only the first cost, and the usual and customary charges attending the purchase and importation of the same, exclusive of duty.

Duties on arms, &c., extension of time for remitting.
Proviso.

APPROVED, April 2, 1862.

CHAP. LIJ.—*An Act to provide for the equitable Settlement of the Accounts of the Officers and Crews of the Frigate Congress and other Vessels.* April 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers

Accounts of officers, &c., of the Congress and other vessels to be settled equitably.

Post, p. 818.

Certain sailors, &c., to receive not over \$60 each for loss of clothing, &c.

of the Treasury be, and they hereby are, authorized and directed to settle, upon the principles of justice and equity, the accounts of the officers, sailors, marines, and crews of the United States frigate Congress, the sloop Cumberland, and of any other vessel or vessels-of-war, the books of which were lost or destroyed in consequence of the naval engagements at Hampton Roads on the eighth and ninth of March, anno Domini one thousand eight hundred and sixty-two.

SEC. 2. *And be it further enacted*, That the Secretary of the Navy be, and he is hereby, authorized to furnish to the sailors, marines, and crews of any of the vessels engaged in the naval actions in the foregoing section mentioned, whose bedding, clothing, or other property was lost or destroyed therein, with an amount sufficient to cover their losses, and not exceeding sixty dollars to each man, to be paid in kind or in money, at the discretion of the flag officer of the North Atlantic Squadron.

APPROVED, April 2, 1862.

April 2, 1862.

CHAP. LIII. — *An Act to prohibit the Allowance or Payment of Pensions to the Children of Officers and Soldiers of the War of the Revolution.*

Claims for certain pensions to children, &c., of persons serving during the Revolution prohibited.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act no claim for a pension, or for an increase of pension, shall be allowed in favor of the children or other descendants of any person who served in the war of the Revolution, or of the widow of such person, when such person or his widow died without having established a claim to a pension.

APPROVED, April 2, 1862.

April 16, 1862.

CHAP. LIV. — *An Act for the Release of certain Persons held to Service or Labor in the District of Columbia.*

1862, ch. 155. Post, p. 538.

Slavery in the District of Columbia abolished.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons held to service or labor within the District of Columbia by reason of African descent are hereby discharged and freed of and from all claim to such service or labor; and from and after the passage of this act neither slavery nor involuntary servitude, except for crime, whereof the party shall be duly convicted, shall hereafter exist in said District.

Loyal persons may petition commissioners for remuneration, &c.

SEC. 2. *And be it further enacted*, That all persons loyal to the United States, holding claims to service or labor against persons discharged therefrom by this act, may, within ninety days from the passage thereof, but not thereafter, present to the commissioners hereinafter mentioned their respective statements or petitions in writing, verified by oath or affirmation, setting forth the names, ages, and personal description of such persons, the manner in which said petitioners acquired such claim, and any facts touching the value thereof, and declaring his allegiance to the Government of the United States, and that he has not borne arms against the United States during the present rebellion, nor in any way given aid or comfort thereto: *Provided*, That the oath of the party to the petition shall not be evidence of the facts therein stated.

Petitions to set forth, &c., to be under oath.

Post, p. 538.

Oath not to be evidence, &c.

Three commissioners to be appointed. Their powers and duties.

SEC. 3. *And be it further enacted*, That the President of the United States, with the advice and consent of the Senate, shall appoint three commissioners, residents of the District of Columbia, any two of whom shall have power to act, who shall receive the petitions above mentioned, and who shall investigate and determine the validity and value of the claims therein presented, as aforesaid, and appraise and apportion, under the proviso hereto annexed, the value in money of the several claims by them found to be valid: *Provided, however*, That the entire sum so appraised and apportioned shall not exceed in the aggregate an amount equal to

Apportionment not to exceed what.

three hundred dollars for each person shown to have been so held by lawful claim: *And provided, further,* That no claim shall be allowed for any slave or slaves brought into said District after the passage of this act, nor for any slave claimed by any person who has borne arms against the Government of the United States in the present rebellion, or in any way given aid or comfort thereto, or which originates in or by virtue of any transfer heretofore made, or which shall hereafter be made by any person who has in any manner aided or sustained the rebellion against the Government of the United States.

Slaves of certain persons not to be allowed for.

SEC. 4. *And be it further enacted,* That said commissioners shall, within nine months from the passage of this act, make a full and final report of their proceedings, findings, and appraisement, and shall deliver the same to the Secretary of the Treasury, which report shall be deemed and taken to be conclusive in all respects, except as hereinafter provided; and the Secretary of the Treasury shall, with like exception, cause the amounts so apportioned to said claims to be paid from the Treasury of the United States to the parties found by said report to be entitled thereto as aforesaid, and the same shall be received in full and complete compensation: *Provided,* That in cases where petitions may be filed presenting conflicting claims, or setting up liens, said commissioners shall so specify in said report, and payment shall not be made according to the award of said commissioners until a period of sixty days shall have elapsed, during which time any petitioner claiming an interest in the particular amount may file a bill in equity in the Circuit Court of the District of Columbia, making all other claimants defendants thereto, setting forth the proceedings in such case before said commissioners and their action therein, and praying that the party to whom payment has been awarded may be enjoined from receiving the same; and if said court shall grant such provisional order, a copy thereof may, on motion of said complainant, be served upon the Secretary of the Treasury, who shall thereupon cause the said amount of money to be paid into said court, subject to its orders and final decree, which payment shall be in full and complete compensation, as in other cases.

Commissioners to report within nine months.

Sums awarded by them to be paid.

Provision for conflicting claims to, or liens upon, slaves.

SEC. 5. *And be it further enacted,* That said commissioners shall hold their sessions in the city of Washington, at such place and times as the President of the United States may direct, of which they shall give due and public notice. They shall have power to subpoena and compel the attendance of witnesses, and to receive testimony and enforce its production, as in civil cases before courts of justice, without the exclusion of any witness on account of color; and they may summon before them the persons making claim to service or labor, and examine them under oath; and they may also, for purposes of identification and appraisement, call before them the persons so claimed. Said commissioners shall appoint a clerk, who shall keep files and [a] complete record of all proceedings before them, who shall have power to administer oaths and affirmations in said proceedings, and who shall issue all lawful process by them ordered. The Marshal of the District of Columbia shall personally, or by deputy, attend upon the sessions of said commissioners, and shall execute the process issued by said clerk.

Commissioners to hold their sessions,

to summon, &c., witnesses.

Color not to exclude.

Commissioners to appoint a clerk; his powers and duties.

Marshal to attend upon their sessions, &c.

SEC. 6. *And be it further enacted,* That said commissioners shall receive in compensation for their services the sum of two thousand dollars each, to be paid upon the filing of their report; that said clerk shall receive for his services the sum of two hundred dollars per month; that said marshal shall receive such fees as are allowed by law for similar services performed by him in the Circuit Court of the District of Columbia; that the Secretary of the Treasury shall cause all other reasonable expenses of said commission to be audited and allowed, and that said compensation, fees, and expenses shall be paid from the Treasury of the United States.

Pay of commissioners,

of clerk, of marshal,

Other reasonable expenses.

Appropriation of \$1,000,000.

SEC. 7. *And be it further enacted*, That for the purpose of carrying this act into effect there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum not exceeding one million of dollars.

Kidnapping, &c., how punished.

SEC. 8. *And be it further enacted*, That any person or persons who shall kidnap, or in any manner transport or procure to be taken out of said District, any person or persons discharged and freed by the provisions of this act, or any free person or persons with intent to re-enslave or sell such person or persons into slavery, or shall re-enslave any of said freed persons, the person or persons so offending shall be deemed guilty of a felony, and on conviction thereof in any court of competent jurisdiction in said District, shall be imprisoned in the penitentiary not less than five nor more than twenty years.

Owners, &c., to file statements of persons held to service by them, in twenty days.

SEC. 9. *And be it further enacted*, That within twenty days, or within such further time as the commissioners herein provided for shall limit, after the passage of this act, a statement in writing or schedule shall be filed with the clerk of the Circuit Court for the District of Columbia, by the several owners or claimants to the services of the persons made free or manumitted by this act, setting forth the names, ages, sex, and particular description of such persons, severally; and the said clerk shall receive and record, in a book by him to be provided and kept for that purpose, the said statements or schedules on receiving fifty cents each therefor, and no claim shall be allowed to any claimant or owner who shall neglect this requirement.

Duty of clerk.

Penalty for neglect.

Clerk of circuit court to deliver to those made free certificates thereof.

SEC. 10. *And be it further enacted*, That the said clerk and his successors in office shall, from time to time, on demand, and on receiving twenty-five cents therefor, prepare, sign, and deliver to each person made free or manumitted by this act, a certificate under the seal of said court, setting out the name, age, and description of such person, and stating that such person was duly manumitted and set free by this act.

\$100,000 appropriated to aid colonization, &c.

SEC. 11. *And be it further enacted*, That the sum of one hundred thousand dollars, out of any money in the Treasury not otherwise appropriated, is hereby appropriated, to be expended under the direction of the President of the United States, to aid in the colonization and settlement of such free persons of African descent now residing in said District, including those to be liberated by this act, as may desire to emigrate to the Republics of Hayti or Liberia, or such other country beyond the limits of the United States as the President may determine: *Provided*, The expenditure for this purpose shall not exceed one hundred dollars for each emigrant.

Not over \$100 to each emigrant.

Repeal of inconsistent laws and ordinances.

SEC. 12. *And be it further enacted*, That all acts of Congress and all laws of the State of Maryland in force in said District, and all ordinances of the cities of Washington and Georgetown, inconsistent with the provisions of this act, are hereby repealed.

APPROVED, April 16, 1862.

April 16, 1862. CHAP. LV. — *An Act to reorganize and increase the Efficiency of the Medical Department of the Army.*

Addition to medical corps of the army; surgeons, assistant surgeons, cadets, and hospital stewards.

Cadets to have one ration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to the present medical corps of the army ten surgeons and ten assistant surgeons, to be promoted and appointed under existing laws; twenty medical cadets, and as many hospital stewards as the surgeon general may consider necessary for the public service, and that their pay and that of all hospital stewards in the volunteer as well as the regular service shall be thirty dollars per month, to be computed from the passage of this act. And all medical cadets in the service shall, in addition to their pay, receive one ration per day either in kind or commutation.

SEC. 2. *And be it further enacted*, That the surgeon general to be appointed under this act shall have the rank, pay, and emoluments of a brigadier general. There shall be one assistant surgeon general and one medical inspector general of hospitals, each with the rank, pay, and emoluments of a colonel of cavalry, and the medical inspector general shall have, under the direction of the surgeon general, the supervision of all that relates to the sanitary condition of the army, whether in transports, quarters, or camps, and of the hygiene, police, discipline, and efficiency of field and general hospitals, under such regulations as may hereafter be established.

Rank and pay of surgeon general, of assistant surgeon general &c. Medical inspector general, his power and duty.

SEC. 3. *And be it further enacted*, That there shall be eight medical inspectors, with the rank, pay, and emoluments each of a lieutenant colonel of cavalry, and who shall be charged with the duty of inspecting the sanitary condition of transports, quarters, and camps, of field and general hospitals, and who shall report to the medical inspector general, under such regulations as may be hereafter established, all circumstances relating to the sanitary condition and wants of troops and of hospitals, and to the skill, efficiency, and good conduct of the officers and attendants connected with the medical department.

Medical inspectors, rank, pay, duty, &c.

SEC. 4. *And be it further enacted*, That the surgeon general, the assistant surgeon general, medical inspector general, and medical inspectors, shall immediately after the passage of this act be appointed by the President, by and with the advice and consent of the Senate, by selection from the medical corps of the army, or from the surgeons in the volunteer service, without regard to their rank when so selected, but with sole regard to qualifications.

Mode of appointment.

SEC. 5. *And be it further enacted*, That medical purveyors shall be charged, under the direction of the surgeon general, with the selection and purchase of all medical supplies, including new standard preparations, and of all books, instruments, hospital stores, furniture, and other articles required for the sick and wounded of the army. In all cases of emergency they may provide such additional accommodations for the sick and wounded of the army, and may transport such medical supplies as circumstances may render necessary, under such regulations as may hereafter be established, and shall make prompt and immediate issues upon all special requisitions made upon them under such circumstances by medical officers; and the special requisitions shall consist simply of a list of the articles required, the quantities required, dated and signed by the medical officers requiring them.

Medical purveyors to purchase medical supplies, &c.

Their power in emergencies.

SEC. 6. *And be it further enacted*, That whenever the inspector general, or any one of the medical inspectors, shall report an officer of the medical corps as disqualified, by age or otherwise, for promotion to a higher grade, or unfitted for the performance of his professional duties, he shall be reported by the surgeon general for examination to a medical board, as provided by the seventeenth section of the act approved August third, eighteen hundred and sixty-one.

Proceedings when any officer of the medical corps is disqualified for promotion.

1861, ch. 42. Ante, p. 289.

SEC. 7. *And be it further enacted*, That the provisions of this act shall continue and be in force during the existence of the present rebellion and no longer: *Provided, however*, That, when this act shall expire, all officers who shall have been promoted from the medical staff of the army under this act shall retain their respective rank in the army, with such promotion as they would have been entitled to.

This act to last during this rebellion.

Proviso as to officers promoted from medical staff.

APPROVED, April 16, 1862.

CHAP. LVI.—*An Act to authorize the Postmaster General to establish Branch Post Offices in Cities.* April 16, 1862.

1863, ch. 71. § 13. Post, p. 703.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster Gen-

Branch post offices may be established in cities, &c.

Postmaster General to establish rules and regulations.

One cent additional postage on each letter deposited and delivered — prepayment required.

Proviso.

Branch service to pay for itself.

Repeal of act of 1847, ch. 63, § 10.
Vol. ix. p. 201.

eral be authorized and directed, when in his judgment the public interest or convenience may require it, to establish one or more branch post offices, to facilitate the operation of the post office in any city or place which, in the opinion of the Postmaster General, may require such additional accommodations for the convenience of the inhabitants; and it shall be the duty of the Postmaster General to prescribe the rules and regulations for the branch post office which may be established by virtue of this act. And the Postmaster General is hereby authorized to charge one cent, in addition to the regular postage, for every letter deposited in any branch post office to be forwarded by mail from the principal office, and which shall be prepaid by stamp, and one cent for every letter delivered at such branch office, to be paid on delivery: *Provided*, That no letter shall be sent from the principal office to such branch office for delivery contrary to the request of the party to whom the same may be addressed: *And provided*, The expense of such branch service shall not exceed the receipts on account thereof.

SEC. 2. *And be it further enacted*, That the tenth section of an act entitled "An act to establish certain post-routes, and for other purposes," approved March third, eighteen hundred and forty-seven, be and hereby is repealed.

APPROVED, April 16, 1862.

April 17, 1862. CHAP. LVII. — *An Act making additional Appropriations for the Naval Service for the Year ending June thirty, eighteen hundred and sixty-two.*

Additional naval appropriations.

Purchase and alteration of vessels.

Nautical instruments, &c.

Observatory.

Ordnance foundry at Washington.

Ordnance. Stevens' battery.

Proviso.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be and they are hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the service of the year eighteen hundred and sixty-two:

For the purchase of vessels and necessary alterations incurred in fitting them for service, two million five hundred and thirty thousand dollars.

For the purchase of additional vessels, two millions of dollars.

For the purchase of nautical instruments, books, maps, and charts, twenty thousand dollars.

For repairs at Observatory, freight, and transportation, three thousand dollars.

For the ordnance foundry at the Washington navy yard, fifty thousand dollars.

For ordnance, one million dollars.

SEC. 2. *And be it further enacted*, That the sum of seven hundred and eighty-three thousand two hundred and ninety-four dollars, being the amount necessary to be provided, as estimated by a board appointed for that purpose, to pay for and finish the Stevens' battery now partially constructed at Hoboken, New Jersey, be and the same is hereby appropriated out of any money in the Treasury not otherwise appropriated for the immediate completion of said battery: *Provided*, That in the contract for the completion of said vessel it shall be stipulated that no part of the money claimed by Edwin A. Stevens to have been heretofore expended by him upon said vessel shall be refunded until the amount of said claim shall be established to the satisfaction of the Secretary of the Navy, and the payment of said sum shall be contingent upon the success of said vessel as an iron-clad, sea-going, war steamer, to be determined by the President, and such contract shall stipulate the time within which the vessel shall be completed: *Provided nevertheless*, That said money shall not be expended unless the Secretary of the Navy is of opinion that the same will secure to the public service an efficient steam battery

SEC. 3. *And be it further enacted*, That the sum of thirteen millions of

dollars be appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of the Navy to construct iron-clad steam-vessels of war.

Iron-clad steam-vessels.

SEC. 4. *And be it further enacted*, That the Secretary of the Navy be authorized to commute the navy ration of coffee and sugar for the extract of coffee combined with milk and sugar, to be procured in the same manner and under like restrictions and guarantes as are preserved meats, pickles, butter, and desiccated vegetables, if he shall believe it will be conducive to the health and comfort of the navy, and not more expensive to the Government than the present ration, and if it shall be acceptable to the men.

Navy ration of coffee and sugar may be commuted for extract of coffee, &c.

APPROVED, April 17, 1862.

CHAP. LVIII. — *An Act making Appropriations for the Service of the Post Office Department during the fiscal Year ending the thirtieth of June, eighteen hundred and sixty-three.*

April 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be and the same are hereby appropriated for the service of the Post Office Department for the year ending the thirtieth of June, eighteen hundred and sixty-three, out of any moneys in the Treasury arising from the revenues of the said department, in conformity to the act of the second of July, eighteen hundred and thirty-six :

Post Office appropriation.

For transportation of the mails, (inland,) six million nine hundred and sixty-one thousand dollars.

Transportation of the mails.

For compensation to postmasters, two million two hundred and thirty-four thousand dollars.

Pay of postmasters.

For clerks in the offices of postmasters, eight hundred and forty-six thousand dollars.

Clerks.

For ship, steamboat, and way letters, twelve thousand dollars.

Ship, &c., letters.

For office furniture in the post offices, two thousand dollars.

Office furniture.

For advertising, thirty-six thousand dollars.

Advertising.

For mail bags, seventy-five thousand dollars.

Mail bags.

For wrapping paper, forty-five thousand dollars.

Wrapping paper.

For mail locks, keys, and stamps, fifty-six thousand dollars.

Mail locks, &c.

For mail depreddations and special agents, seventy-five thousand dollars.

Mail depreddations, &c.

For miscellaneous payments, one hundred and eighty-seven thousand dollars.

Miscellaneous.

For postage stamps and stamped envelopes, ninety thousand dollars.

Postage stamps and envelopes.

For payments of balances due to foreign countries, two hundred and thirty thousand dollars.

Foreign balances.

For payments to letter carriers, one hundred and fifty-two thousand dollars.

Letter carriers.

For transportation of foreign mails, four hundred and sixty-five thousand dollars.

Foreign mails.

For compensation of twenty-five additional clerks in the Post Office Department, authorized by the "Act to promote the efficiency of the Dead Letter Office," approved January twenty-first, eighteen hundred and sixty-two, from the date of their appointment to the thirtieth of June, eighteen hundred and sixty-two, eight thousand eight hundred dollars.

Twenty-five additional clerks.

1862, ch. 8. *Ante*, p. 332.

SEC. 2. *And be it further enacted*, That if the revenues of the Post Office Department shall be insufficient to meet the appropriations of this act, then the sum of two million one hundred and twenty thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post Office Department for the year ending the thirtieth June, eighteen hundred and sixty-three.

Deficiency appropriation for 1862-63.

California central route.

SEC. 3. *And be it further enacted*, That the sum of one million dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the California central route.

Laws giving preference to American over foreign steamships repealed.

SEC. 4. *And be it further enacted*, That all acts and parts of acts heretofore passed requiring that the Postmaster General in causing the transportation of mails by steamships between the United States and any foreign port or ports, or between any ports of the United States, touching at a foreign port, shall give preference to American over foreign steamships, when departing from the same port for the same destination within three days of each other, be and the same are hereby repealed.

1860, ch. 131, § 4. *Ante*, p. 39.

Coast mail between San Francisco and Crescent city.

SEC. 5. *And be it further enacted*, That the Postmaster General be and he is hereby authorized to establish a coast mail, not less than semi-monthly, by steam vessels, between San Francisco and Crescent City, in the State of California, including service at the intermediate ports: *Provided*, That the sum to be paid for such service shall not exceed the sum of twenty thousand dollars per annum.

Proviso.

APPROVED, April 17, 1862.

April 21, 1862. Post, p. 827.

CHAP. LIX. — *An Act to establish a Branch Mint of the United States at Denver, in the Territory of Colorado.*

Branch mint at Denver to coin gold.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a branch of the mint of the United States be located and established at Denver, in the Territory of Colorado, for the coinage of gold.

Officers of mint.

SEC. 2. *And be it further enacted*, That, for carrying on the business of said branch, the following officers shall be appointed as soon as the public interest shall require their service, upon the nomination of the President, by and with the advice and consent of the Senate, namely: one superintendent, one assayer, one melter and refiner, and one coiner; and the said superintendent shall employ as many clerks, subordinate workmen, and laborers, under the direction of the Secretary of the Treasury, as may be required. The salaries of the said officers shall be as follows: To the superintendent, the sum of two thousand dollars; to the assayer, the sum of eighteen hundred dollars; to the melter and refiner, eighteen hundred dollars; to the coiner, eighteen hundred dollars; to the clerks, subordinate workmen, and laborers, such wages and allowances as are customary according to their respective stations and occupations.

Pay.

Oath and bond of officers.

SEC. 3. *And be it further enacted*, That the officers and clerks to be appointed under this act, before entering upon the execution of their offices, shall take an oath or affirmation, before some judge of the United States or of the supreme court of said Territory, faithfully and diligently to perform the duties of their offices, and shall each become bound to the United States of America, with one or more sureties, to the satisfaction of the director of the mint or the secretary of the Territory of Colorado and of the Secretary of the Treasury, with the condition of the faithful performance of the duties of their offices.

Branch to be under control of director of mint, &c.

SEC. 4. *And be it further enacted*, That the general direction of the business of said branch of the mint of the United States shall be under the control and regulation of the director of the mint at Philadelphia, subject to the approbation of the Secretary of the Treasury; and for that purpose it shall be the duty of the said director to prescribe such regulations and require such returns periodically and occasionally, and to establish such charges for parting, assaying, refining, and coining, as shall appear to him to be necessary for the purpose of carrying into effect the intention of this act in establishing said branch; also for the purpose of preserving uniformity of weight, form, and finish in the coin stamped at said branch.

Director to prescribe regulations, &c.

SEC. 5. *And be it further enacted*, That said branch mint shall be a place of deposit for such public moneys as the Secretary of the Treasury may direct. And the superintendent of said branch mint, who shall perform the duties of treasurer thereof, shall have the custody of the same, and also perform the duties of assistant treasurer; and for that purpose shall be subject to all the provisions contained in an act entitled "An act to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue," approved August six, eighteen hundred and forty-six, which relates to the treasury of the branch mint at New Orleans.

Branch mint to be deposit for public moneys.

1846, ch. 90.
Vol. ix. p. 59.

SEC. 6. *And be it further enacted*, That the superintendent of said branch mint be authorized, under the direction of the Secretary of the Treasury, and on terms to be prescribed by him, to issue in payment of the gold dust and bullion deposited for assay and coinage or bars, drafts, or certificates of deposit, payable at the Treasury or any Sub-treasury of the United States, to any depositor electing to receive payment in that form.

Certificates of deposit may be issued in payment for deposits for coinage.

SEC. 7. *And be it further enacted*, That all the laws and parts of laws now in force for the regulation of the mint of the United States, and for the government of the officers and persons employed therein, and for the punishment of all offences connected with the mint or coinage of the United States, shall be and they are hereby declared to be in full force in relation to the branch of the mint by this act established, as far as the same may be applicable thereto.

Laws for regulation of mint, applicable to branch.

SEC. 8. *And be it further enacted*, That the sum of seventy-five thousand dollars be and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry into effect the provisions of this act, and to meet the expenses of the current year and for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three.

Appropriation.

APPROVED, April 21, 1862.

CHAP. LXIII.—*An Act relating to Highways in the County of Washington and District of Columbia.* May 3, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the passage of this act, it shall be lawful for the levy court of Washington county, in the District of Columbia, to alter, repair, widen, and regulate the public roads and highways in said county, and to lay out additional roads as hereinafter specified.

Levy court may alter, &c.

SEC. 2. *And be it further enacted*, That all roads within said county of Washington which have been used by the public for a period of twenty-five years or more as a highway, and have been recognized by the said levy court as public county roads, and for the repairs of which the said levy court has appropriated and expended money, are declared public highways, whether the same have been recorded or not; and any person who shall obstruct the free use of said highways, or any one of them, without authority from said levy court, shall be subject to a fine for each and every offence of not less than one hundred or more than two hundred and fifty dollars, to be imprisoned till the said fine and the costs of suit and collection of the same are paid; said fines to be collected in the name of the United States, for the use of the levy court.

What shall be deemed public highways.

Penalty for obstructing.

SEC. 3. *And be it further enacted*, That within one year from the passage of this act the levy court shall cause the surveyor of the said county of Washington to survey and plat all such roads as are named in the last preceding section, and have the same recorded among the records of said county now used for recording surveys and plats of other public county roads; and, in making said survey, the county surveyor shall follow, as

Public highways to be surveyed, &c.

1863, ch. 51.
Post, p. 658.

nearly as possible, the lines and boundaries heretofore used and known as a highway, and he shall cause the lines and boundaries of the same to be permanently marked and fixed by the erection of stones or posts at the different angles thereof.

Obstructions to public highways to be removed.

SEC. 4. *And be it further enacted,* That all such roads as are named in the second section of this act as have been obstructed by any person or persons in any manner within the last six years shall be re-opened by the levy court, if, in the judgment of said court, the public convenience requires it; and the expenses thereby incurred shall be paid by the person or persons who shall have obstructed the same, which expenses shall be collected as fines are required to be collected under the second section of this act.

Width of roads.

SEC. 5. *And be it further enacted,* That hereafter, in laying out new roads in said county of Washington, the levy court shall cause such roads to be of a width of not less than fifty nor more than one hundred feet, and it may also cause the width of any of the existing roads in said county to be increased to not more than one hundred feet, and change the location of any of them, as the said levy court may deem best for the public interest; and, for the purpose of opening or widening such roads, the said levy court is hereby empowered to cause to be condemned any land or lands necessary for the same, as other lands are now condemned by law.

Land may be taken.

Materials for making and repairing public roads in certain cases.

SEC. 6. *And be it further enacted,* That in any case where materials shall be necessary for making or repairing a public road, if the levy court cannot agree with the owner as to their purchase, the said court may proceed in the same manner for condemning said materials as in cases of condemnation of land for the purposes of a public road.

Fields and gardens, when not to be taken for roads.

SEC. 7. *And be it further enacted,* That no field or garden or yard, in actual cultivation, shall be laid open or used as a public highway until after the usual time of taking off the crops growing thereon.

Members of levy court need not be taken from the justices of the peace.

SEC. 8. *And be it further enacted,* That the requirement in the existing laws, that members of the levy court shall be appointed from amongst the justices of the peace in the county of Washington, is hereby repealed.

APPROVED, May 3, 1862.

May 13, 1862.

1861, ch. 45, § 53. *Ante*, pp. 311, 312.

CHAP. LXVI. — *An Act to amend an Act entitled "An Act to provide increased Revenue from Imports, to pay Interest on the Public Debt, and for other Purposes, approved August five, eighteen hundred and sixty-one."*

Provision of former act, that State may pay its tax by release of its claims upon the United States — to apply to claims for expenses of volunteers filed before July 30, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision in the fifty-third section of the act "to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August five, eighteen hundred and sixty-one, allowing such portion of the tax as may be assessed by any State, Territory, or the District of Columbia "to be paid and satisfied, in whole or in part, by the release of such State, Territory, or District, duly executed, to the United States, of any liquidated and determined claim of such State, Territory, or District of equal amount against the United States: *Provided,* That in case of such release, such State, Territory, or District shall be allowed the same abatement of the amount of such tax as would be allowed in case of the payment of the same in money," shall be construed as applying to such claims of States for reimbursement of expenses incurred by them in enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present insurrection against the United States, as shall be filed with the proper officers of the United States before the thirtieth of July next. And in such cases the abatement of fifteen per centum shall be made on such portion

Abatement in such case.

of said tax as may be paid by the allowance of such claims, in whole or in part, the same as if the final settlement and liquidation thereof had been made before the thirtieth of June.

APPROVED, May 13, 1862.

CHAP. LXVII. — *An Act to establish a Port of Entry in the Collection District of Beaufort, South Carolina.* May 13, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a port of entry and delivery shall be and is hereby established in the collection district of Beaufort, in the State of South Carolina, at or near Hilton Head, to be called the port of Port Royal, which shall be subject to the same regulations and restrictions as other ports of entry and delivery in the United States; and there shall be appointed a collector of the customs, to reside at said port, who shall receive a salary of fifteen hundred dollars per annum. And the Secretary of the Treasury shall have power to appoint, on the nomination of the collector, such inspectors, weighers, gaugers, measurers, and other officers as may be necessary for the collection of the revenue at said port, whose compensation shall not exceed the rates allowed to similar officers at other ports of entry and delivery in the United States.

Port Royal, South Carolina, made a port of entry.

Officers, pay, &c.

APPROVED, May 13, 1862.

CHAP. LXIX. — *An Act to provide for the Deficiency in the Appropriation for the Pay of the two and three Years Volunteers, and the Officers and Men actually employed in the Western Department.* May 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be and hereby is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of thirty millions of dollars, or so much thereof as may be necessary, to enable the Government to pay the two and three years volunteers called into the service of the United States, being an additional amount required for the fiscal year ending June thirtieth, eighteen hundred and sixty-two.

Deficiency appropriation for volunteers.

SEC. 2. *And be it further enacted,* That there be and hereby is appropriated, out of any money in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars, or so much thereof as may be necessary, to carry into effect the act approved March twenty-fifth, eighteen hundred and sixty-two, to secure pay, bounty, and pensions to officers and men actually employed in the Western Department, or Department of Missouri.

Appropriation for officers and men in the Western Department.

1862, ch. 49. Ante, p. 374.

APPROVED, May 14, 1862.

CHAP. LXX. — *An Act to facilitate the Discharge of enlisted Men for physical Disability.* May 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the medical inspector general, or any medical inspector is hereby authorized and empowered to discharge from the service of the United States any soldier, or enlisted man, with the consent of such soldier or enlisted man, in the permanent hospitals, laboring under any physical disability which makes it disadvantageous to the service that he be retained therein, and the certificate in writing of such inspector general or medical inspector, setting forth the existence and nature of such physical disability, shall be sufficient evidence of such discharge: *Provided, however,* That every such certificate shall appear on its face to have been founded on personal inspection of the soldier so discharged, and shall specifically describe the nature and

Medical inspectors may discharge certain enlisted men, with their consent.

Certificate of inspector to be evidence of discharge.

What certificate must show.

Discharge not to affect right to pay due.
Report.

origin of such disability; and that such discharge shall be without prejudice to the right of such soldier or enlisted man to the pay due him at the date thereof, and report the same to the adjutant-general and the surgeon-general.

APPROVED, May 14, 1862.

May 15, 1862.

CHAP. LXXI. — *An Act to regulate the Time of holding the Courts of the United States for the District of Kentucky, and for other Purposes.*

Terms of circuit and district courts in Kentucky.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the circuit and district courts of the United States for the district of Kentucky shall hereafter commence and be held as follows: At Covington on the third Monday of April and on the first Monday of December; at Louisville on the third Monday of February and first Monday of October; at Frankfort on the third Monday of May and first Monday of January; and at Paducah on the third Monday of March and first Monday of November.

Power and duty of clerk in absence of judge.

SEC. 2. *And be it further enacted,* That if neither of the judges of said courts be present at the time for opening court, the clerk may open and adjourn the court from day to day for four days, and if the judge does not appear by two o'clock P. M. of the fourth day, the clerk shall adjourn the court to the next stated term. But either the circuit or district judge, by written order to the clerk within the first three days of his term; may adjourn court to a future day within thirty days of the first day, of which adjournment the clerk shall give notice by posting a copy of said order on the front door of the court-house where the court is to be held; and the district judge, and, in his absence, the circuit judge, may order a special term of the circuit court, designated in a similar order, to be published in a similar manner, and in one or more newspapers in the place where the court is held; and by said order the judge may prescribe the duties of the officers of court in summoning juries, and in the performance of other acts necessary for the holding of such special term, or the court may by its order, after it is opened, prescribe the duties of its officers, and the mode of proceeding, and any of the details thereof.

Adjournments.

Special terms of circuit court.

Duties of officers of court at such terms.

Jurors.

SEC. 3. *And be it further enacted,* That such number of jurors shall be summoned by the marshal at every term of the circuit and district courts, respectively, as may have been ordered of record at the previous term; and in case there is not a sufficient number of jurors in attendance at any time, the court may order such number to be summoned as, in its judgment, may be deemed necessary to transact the business of the court. And a grand jury may be summoned to attend every term of the circuit or district court by order of court. The marshal may summon juries and talesmen in case of a deficiency, pursuant to an order of court made during the term; and they shall serve for such time as the court may direct.

Special terms of district court.

SEC. 4. *And be it further enacted,* That a special term of any district court may be held at any time that the district judge may order by giving notice thereof on the front door of the court-house where the court is to be held, and in some respectable newspaper, if there be any, at the place.

Adjournments of district court.

SEC. 5. *And be it further enacted,* That the district judge may adjourn the court from time to time to suit the convenience of litigants and to meet the necessities of the business; and the intervention of a term of a district or circuit court at another place shall not preclude the power to adjourn over to a future day.

Terms of either court not limited.

SEC. 6. *And be it further enacted,* That the terms of the circuit and district courts shall not be limited to any particular number of days, nor shall it be necessary to adjourn by reason of the intervention of a term of the court elsewhere; but the business of the courts at two places may

proceed, there being a judge present at each place, or the court intervening may be adjourned over, as herein provided, till the business of the court in session is concluded.

SEC. 7. *And be it further enacted*, That a clerk shall be appointed at every place of holding circuit and district courts for the district of Kentucky, in like manner and subject to the same duties and responsibilities that other clerks are subject to in other independent districts; the deputy clerks at Covington, Louisville, and Paducah shall perform the duties of the offices, respectively, till clerks are duly appointed and qualified.

Clerk of circuit and district courts.

Deputies at Covington, &c.

SEC. 8. *And be it further enacted*, That commissioners appointed by the courts of the United States to take bail, affidavits, and so forth, shall have like powers to take surety of the peace and for good behavior, according to the act of July sixteen, seventeen hundred and ninety-eight, that other officers designated by said act now have.

Commissioners to take bail, &c.

1798, ch. 83. Vol. i. p. 609.

SEC. 9. *And be it further enacted*, That all process which shall not have been returned when this act takes effect shall be returnable to the terms, respectively, herein fixed; and the clerk, upon issuing original process in a civil action, shall make it returnable to the court nearest to the county of the residence of the defendant, or of that defendant whose county is nearest a court, if he have information sufficient, and shall immediately, upon the payment by the plaintiff of his fees accrued, send the papers filed to the clerk of the court to which the process is made returnable; and whenever the process is not thus made returnable, the defendant or defendants may, upon motion, on or before the calling of the cause, have it transferred to the court to which it should have been sent had the clerk known the residence of the defendant or defendants when the action was brought.

Provision for pending process not returned.

SEC. 10. *And be it further enacted*, That in case of the existence of bail bonds for the appearance of persons to answer, it shall be the duty of the clerk to call the parties at the time they are bound to appear, and, if they fail, to enter the same on his minutes, on which entry a judgment may afterwards be made of record by the court; and if the party appears, the clerk shall take another bond, with sureties similar to the first, for further appearance at the next succeeding term of the court, and if the party fail to give bond and surety, then he shall stand committed by order of the clerk till he does comply.

Bail bonds.

Default

New bond.

SEC. 11. *And be it further enacted*, That all laws and parts of laws inconsistent herewith are hereby repealed, and this act shall be in force from and after its passage.

Repeal of inconsistent laws.

APPROVED, May 15, 1862.

CHAP. LXXII. — *An Act to establish a Department of Agriculture.*

May 15, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established at the seat of Government of the United States a Department of Agriculture, the general designs and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

Department of Agriculture established.

SEC. 2. *And be it further enacted*, That there shall be appointed by the President, by and with the advice and consent of the Senate, a "Commissioner of Agriculture," who shall be the chief executive officer of the Department of Agriculture, who shall hold his office by a tenure similar to that of other civil officers appointed by the President, and who shall receive for his compensation a salary of three thousand dollars per annum.

Commissioner of Agriculture.

Term of office.

Salary.

SEC. 3. *And be it further enacted*, That it shall be the duty of the

Duties of Commissioner. Commissioner of Agriculture to acquire and preserve in his Department all information concerning agriculture which he can obtain by means of books and correspondence, and by practical and scientific experiments, (accurate records of which experiments shall be kept in his office,) by the collection of statistics, and by any other appropriate means within his power; to collect, as he may be able, new and valuable seeds and plants; to test, by cultivation, the value of such of them as may require such tests; to propagate such as may be worthy of propagation, and to distribute them among agriculturists. He shall annually make a general report in writing of his acts to the President and to Congress, in which he may recommend the publication of papers forming parts of or accompanying his report, which report shall also contain an account of all moneys received and expended by him. He shall also make special reports on particular subjects whenever required to do so by the President or either House of Congress, or when he shall think the subject in his charge requires it. He shall receive and have charge of all the property of the agricultural division of the Patent Office in the Department of the Interior, including the fixtures and property of the propagating garden. He shall direct and superintend the expenditure of all money appropriated by Congress to the Department, and render accounts thereof, and also of all money heretofore appropriated for agriculture and remaining unexpended. And said Commissioner may send and receive through the mails, free of charge, all communications and other matter pertaining to the business of his Department, not exceeding in weight thirty-two ounces.

Annual report.

Special reports.

Charge of property.

Expenditure of appropriations.

Franking privilege.

Commissioner may appoint a chief clerk, &c., who shall act, &c.

may employ chemists, botanists, &c.

Oath of office.

Bonds of Commissioner and chief clerk.

Custody thereof.

SEC. 4. *And be it further enacted,* That the Commissioner of Agriculture shall appoint a chief clerk, with a salary of two thousand dollars, who in all cases during the necessary absence of the Commissioner, or when the said principal office shall become vacant, shall perform the duties of Commissioner, and he shall appoint such other employes as Congress may from time to time provide, with salaries corresponding to the salaries of similar officers in other Departments of the Government; and he shall, as Congress may from time to time provide, employ other persons, for such time as their services may be needed, including chemists, botanists, entomologists, and other persons skilled in the natural sciences pertaining to agriculture. And the said Commissioner, and every other person to be appointed in the said Department, shall, before he enters upon the duties of his office or appointment, make oath or affirmation truly and faithfully to execute the trust committed to him. And the said Commissioner and the chief clerk shall also, before entering upon their duties, severally give bonds to the Treasurer of the United States, the former in the sum of ten thousand dollars, and the latter in the sum of five thousand dollars, conditional to render a true and faithful account to him or his successor in office, quarter yearly accounts of all moneys which shall be by them received by virtue of the said office, with sureties to be approved as sufficient by the Solicitor of the Treasury; which bonds shall be filed in the office of the First Comptroller of the Treasury, to be by him put in suit upon any breach of the conditions thereof.

APPROVED, May 15, 1862.

May 17, 1862.

CHAP. LXXIII. — *An Act to incorporate the Washington and Georgetown Railroad Company.*

Washington and Georgetown Railroad Company incorporated.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Eliab Kingman, Franklin Tenney, J. J. Coombs, Sayles J. Bowen, Charles H. Upton, Henry Addison, Hallett Kilbourn, and their associates and assigns, be and they are hereby created a body corporate, under the name of the "Washington and Georgetown Railroad Company," with authority to construct and

lay down a double track railway, with the necessary switches and turn-outs, in the cities of Georgetown and Washington, in the District of Columbia, through and along the following avenues and streets: Commencing on Bridge Street, at the intersection with High Street, or at such point on said Bridge Street east thereof, in the city of Georgetown, as may be designated hereafter by the corporate authorities thereof, along said Bridge Street to its intersection with the street running to the tubular bridge over Rock Creek to Pennsylvania Avenue, in the city of Washington; along said avenue to Fifteenth Street West; along said street south to said avenue; along said avenue to the foot of the Capitol grounds; thence around the southern boundary of the Capitol grounds; and along their southern boundary easterly to Pennsylvania Avenue; along said Pennsylvania Avenue to Eighth Street East, or Garrison Street; and along said street south to the navy-yard gate, with a lateral road running along the eastern front of the Capitol from the southern to the northern gate, and thence by "A" street to the depot of the Baltimore and Ohio Railroad; and thence from said depot through First Street West to Pennsylvania Avenue, so as to intersect with said main road; also, a double or single track branch railway, commencing at Boundary Street North and running down Seventh Street West to Pennsylvania Avenue and to the Potomac; also, a railway commencing at Boundary Street and running down Fourteenth Street West and New York Avenue to Pennsylvania Avenue to a point of intersection with said first-mentioned railway, with the right to run public carriages thereon drawn by horse power, receiving therefor a rate of fare not exceeding five cents a passenger for any distance between the termini of either of the said main railway, or between the termini of either of said branch railways, or between either terminus of said main railway and the terminus of either of said branch railways: *Provided*, That the use and maintenance of said road shall be subject to the municipal regulations of the cities of Washington and Georgetown, respectively, within their several corporate limits, and that whenever the Capitol grounds shall be enlarged, then the said routes shall be made to conform thereto.

Power of corporation.

Line of track.

Horse power.
Fare.

Use of road
subject to municipal regulations.

SEC. 2. *And be it further enacted*, That said roads shall be deemed real estate, and they, together with other real property and the personal property of said body corporate, shall be liable to taxation as other real estate and personal property in the cities aforesaid, except as hereinafter provided.

Roads to be deemed real estate.

Taxation.

SEC. 3. *And be it further enacted*, That the said railway shall be laid in the centre of the avenues and streets, as near as may be, without interfering with or passing over the water or gas pipes, in the most approved manner adapted for street railways, with rails of the most approved patterns, to be determined by the Secretary of the Interior, laid upon an even service with the pavement of the streets; and the space between the two tracks shall not be less than four feet nor more than six feet, and the carriages shall not be less than six feet in width, the gauge to correspond with that of the Baltimore and Ohio railroad.

Railway how to be laid.

SEC. 4. *And be it further enacted*, That the said corporation, hereby created, shall be bound to keep said tracks, and for the space of two feet beyond the outer rail thereof, and also the space between the tracks, at all times well paved and in good order, without expense to the United States or to the cities of Georgetown and Washington.

Corporation to keep tracks and part of street in repair.

SEC. 5. *And be it further enacted*, That nothing in this act shall prevent the Government, at any time, at their option, from altering the grade or otherwise improving Pennsylvania Avenue, and such other avenues and streets as may be occupied by said roads, or the cities of Washington and Georgetown from so altering or improving such streets and avenues as may be under their respective authority and control, and in such event it shall be the duty of said company to change their said railroad so as to conform to such altered grade and pavements.

Grades, &c., of streets may be altered by authorities.

Corporation to alter its tracks.

This act may be changed or repealed, &c.

Corporation cannot issue notes, scrip, &c., as currency.

Capital. Par value of shares.

Stock, how transferable.

First-class cars to be used.

Times of running.

Passenger-rooms, depots, &c.

Tracks between stables and depots.

Land for stables, depots, &c.

Articles of value left in cars.

Government may transport freight cars over tracks.

Pay therefor.

Books of subscription to be opened in five days, &c.

Advertisement.

Subscription to be null and void unless twenty-five per cent. is paid at time of subscription.

Apportionment of stock.

What to be received in payment of twenty-five per cent.

SEC. 6. *And be it further enacted,* That this act may at any time be altered, amended, or repealed by the Congress of the United States.

SEC. 7. *And be it further enacted,* That nothing in this act shall be so construed as to authorize said body corporate to issue any note, token, device, scrip, or other evidence of debt to be used as a currency.

SEC. 8. *And be it further enacted,* That the capital stock of said company shall be not less than three nor more than five hundred thousand dollars, and that the stock shall be divided into shares of fifty dollars each, and shall be deemed personal property transferable in such manner as the by-laws of said company may direct.

SEC. 9. *And be it further enacted,* That the said company shall place first-class cars on said railways, with all the modern improvements for the convenience and comfort of passengers, and shall run cars thereon during the day as often as every five minutes, except as to Seventh and Fourteenth streets, and on these once in fifteen minutes each way, and until twelve o'clock at night as often as every half hour; and throughout day and night as much oftener as public convenience may require.

SEC. 10. *And be it further enacted,* That said company shall procure such passenger rooms, ticket offices, stables, and depots at such points as the business of the railroad and the convenience of the public may require. And the said company is hereby authorized to lay such rails through transverse or other streets as may be necessary for the exclusive purpose of connecting the said stables and depots with the main tracks. And the said company is hereby authorized to purchase or lease such lands or buildings as may be necessary for the passenger rooms, ticket offices, stables, and depots above mentioned.

SEC. 11. *And be it further enacted,* That all articles of value that may be inadvertently left in any of the cars or other vehicles of the said company shall be taken to their principal depot and entered in a book of record of unclaimed goods, which book shall be open to the inspection of the public at all reasonable hours of business.

SEC. 12. *And be it further enacted,* That said corporation shall, on demand of the President of the United States, Secretary of War, or Secretary of the Navy, cause to be transported over said railway any freight cars laden with freight for the use of the United States; the officers causing such service to be done shall pay a reasonable compensation therefor.

SEC. 13. *And be it further enacted,* That within five days after the passage of this act the corporators named in the first section, or a majority of them, or if any refuse or neglect to act, then a majority of the remainder, shall cause books of subscription to the capital stock of said company to be opened and kept open, in some convenient and accessible place in the city of Washington, from nine o'clock in the forenoon till five o'clock in the afternoon, for a period to be fixed by said corporators, not less than two days, and said corporators shall give public notice, by advertisement in the daily papers published in the city of Washington, of the time when and the place where said books shall be opened, and subscribers upon said books to the capital stock of the company shall be held to be stockholders: *Provided,* That every subscriber shall pay at the time of subscribing twenty-five per centum of the amount by him subscribed to the treasurer appointed by the corporators, or his subscription shall be null and void. If at the end of two days a larger amount than the capital stock of said company shall have been subscribed, the books shall be closed, and the said corporators named in the first section shall forthwith proceed to apportion said capital stock among the subscribers *pro rata*, and make public proclamation of the number of shares allotted to each, which shall be done and completed on the same day that the books are closed: *Provided, further,* That nothing shall be received in payment of the twenty-five per centum at the time of subscribing except money or checks or certificates of deposit endorsed "good" by the president or

cashier of some good solvent bank or banks. And when the books of subscription to the capital stock of said company shall be closed, the corporators named in the first section, or a majority of them, and in case any of them refuse or neglect to act, then a majority of the remainder, shall, within twenty days thereafter, call the first meeting of the stockholders of said company, to meet within ten days thereafter, for the choice of directors, of which public notice shall be given for five days in two public newspapers, published daily in the city of Washington, or by written personal notice to each stockholder by the clerk of the corporation; and in all meetings of the stockholders each share shall entitle the holder to one vote, to be given in person or by proxy.

First meeting of stockholders

SEC. 14. *And be it further enacted*, That the government and direction of the affairs of the company shall be vested in the board of directors, seven in number, who shall be stockholders, and who shall hold their office for one year and till others are duly elected and qualified to take their places as directors; and the said directors (a majority of whom, the president being one, shall be a quorum) shall elect one of their number to be president of the board, who shall also be president of the company; and they shall also choose a treasurer, who shall give bonds with surety to said company, in such sum as the said directors may require, for the faithful discharge of his trust. In case of a vacancy in the board of directors by the death, resignation, or otherwise, of any director, the vacancy occasioned thereby shall be filled by the remaining directors.

Directors.

President.

Treasurer's bond.

Vacancies.

SEC. 15. *And be it further enacted*, That the directors shall have full power to make and prescribe such by-laws, rules, and regulations, as they shall deem needful and proper touching the disposition and management of the stock, property, estate, and effects of the company, not contrary to the charter, or to the laws of the United States, and the ordinances of the cities of Washington and Georgetown.

By-laws.

SEC. 16. *And be it further enacted*, That there shall be an annual meeting of the stockholders for choice of directors, to be holden at such time and place, under such conditions, and upon such notice, as the said company in their by-laws may prescribe; and said directors shall annually make a report in writing of their doings to the stockholders and to Congress.

Annual meeting of stockholders.

SEC. 17. *And be it further enacted*, That the Mayor, Common Council, and the several officers of the Corporations of the cities of Georgetown or Washington, and the said Corporations are hereby prohibited from doing any act or thing to hinder, delay, or obstruct the construction or operation of said railroad, as herein authorized.

Officers of cities of Washington and Georgetown not to obstruct, &c., railroad.

SEC. 18. *And be it further enacted*, That the said company shall have at all times the free and uninterrupted use of their road-way, and if any person or persons shall wilfully and unnecessarily obstruct or impede the passage on or over said railway, or any part thereof, or shall injure or destroy the cars, depot stations, or any property belonging to said railway company, the person or persons so offending shall forfeit and pay for every such offence the sum of five dollars to said company, and shall remain liable, in addition to said penalty, for any loss or damage occasioned by his, her, or their act, as aforesaid; but no suit shall be brought unless commenced within sixty days after such offence shall have been committed.

Obstruction of passage over road, &c., how punished.

Penalty.

Damages.

Suits to be brought within 60 days.

SEC. 19. *And be it further enacted*, That unless said corporation shall make and complete their said railways between the Capitol and Georgetown within sixty working days from and after the company shall have been organized, and from the Capitol to the Navy Yard within sixty days thereafter, and on said Seventh Street, and from said Boundary Street, on Fourteenth Street, to the point of intersection as aforesaid, within six months from the approval of this act, then this act shall be null and void and no rights whatsoever shall be acquired under it.

Unless railroad is completed within, &c., act to be void.

Repeal of inconsistent laws.

SEC. 20. *And be it further enacted*, That all acts and parts of acts heretofore passed, which are inconsistent with any of the provisions of this act, are, for the purposes of this act, hereby repealed, so far as the same are inconsistent herewith.

APPROVED, May 17, 1862.

May 20, 1862.

CHAP. LXXV. — *An Act to secure Homesteads to actual Settlers on the Public Domain.*

Certain persons may enter certain quantities of certain unappropriated public lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who is the head of a family, or who has arrived at the age of twenty-one years, and is a citizen of the United States, or who shall have filed his declaration of intention to become such, as required by the naturalization laws of the United States, and who has never borne arms against the United States Government or given aid and comfort to its enemies, shall, from and after the first January, eighteen hundred and sixty-three, be entitled to enter one quarter section or a less quantity of unappropriated public lands, upon which said person may have filed a preëmption claim, or which may, at the time the application is made, be subject to preëmption at one dollar and twenty-five cents, or less, per acre; or eighty acres or less of such unappropriated lands, at two dollars and fifty cents per acre, to be located in a body, in conformity to the legal subdivisions of the public lands, and after the same shall have been surveyed: *Provided*, That any person owning and residing on land may, under the provisions of this act, enter other land lying contiguous to his or her said land, which shall not, with the land so already owned and occupied, exceed in the aggregate one hundred and sixty acres.

Such persons to make affidavit.

SEC. 2. *And be it further enacted*, That the person applying for the benefit of this act shall, upon application to the register of the land office in which he or she is about to make such entry, make affidavit before the said register or receiver that he or she is the head of a family, or is twenty-one years or more of age, or shall have performed service in the army or navy of the United States, and that he has never borne arms against the Government of the United States or given aid and comfort to its enemies, and that such application is made for his or her exclusive use and benefit, and that said entry is made for the purpose of actual settlement and cultivation, and not either directly or indirectly for the use or benefit of any other person or persons whomsoever; and upon filing the said affidavit with the register or receiver, and on payment of ten dollars, he or she shall thereupon be permitted to enter the quantity of land specified: *Provided, however*, That no certificate shall be given or patent issued therefor until the expiration of five years from the date of such entry; and if, at the expiration of such time, or at any time within two years thereafter, the person making such entry; or, if he be dead, his widow; or in case of her death, his heirs or devisee; or in case of a widow making such entry, her heirs or devisee, in case of her death; shall prove by two credible witnesses that he, she, or they have resided upon or cultivated the same for the term of five years immediately succeeding the time of filing the affidavit aforesaid, and shall make affidavit that no part of said land has been alienated, and that he has borne true allegiance to the Government of the United States; then, in such case, he, she, or they, if at that time a citizen of the United States, shall be entitled to a patent, as in other cases provided for by law: *And provided, further*, That in case of the death of both father and mother, leaving an infant child, or children, under twenty-one years of age, the right and fee shall enure to the benefit of said infant child or children; and the executor, administrator, or guardian may, at any time within two years after the death of the surviving parent, and in accordance with the laws of the State in which such children for the time being have their domicile, sell

Contents of affidavit.

Certificates and patents, when to issue and upon what proof.

Affidavit.

Provision in case of death of applicant, &c.

said land for the benefit of said infants, but for no other purpose; and the purchaser shall acquire the absolute title by the purchase, and be entitled to a patent from the United States, on payment of the office fees and sum of money herein specified.

SEC. 3. *And be it further enacted*, That the register of the land office shall note all such applications on the tract books and plats of his office, and keep a register of all such entries, and make return thereof to the General Land Office, together with the proof upon which they have been founded.

Record of applications to be made.

SEC. 4. *And be it further enacted*, That no lands acquired under the provisions of this act shall in any event become liable to the satisfaction of any debt or debts contracted prior to the issuing of the patent therefor.

Such lands not to be subject to prior debts.

SEC. 5. *And be it further enacted*, That if, at any time after the filing of the affidavit, as required in the second section of this act, and before the expiration of the five years aforesaid, it shall be proven, after due notice to the settler, to the satisfaction of the register of the land office, that the person having filed such affidavit shall have actually changed his or her residence, or abandoned the said land for more than six months at any time, then and in that event the land so entered shall revert to the government.

When lands thus entered revert to government.

SEC. 6. *And be it further enacted*, That no individual shall be permitted to acquire title to more than one quarter section under the provisions of this act; and that the Commissioner of the General Land Office is hereby required to prepare and issue such rules and regulations, consistent with this act, as shall be necessary and proper to carry its provisions into effect; and that the registers and receivers of the several land offices shall be entitled to receive the same compensation for any lands entered under the provisions of this act that they are now entitled to receive when the same quantity of land is entered with money, one half to be paid by the person making the application at the time of so doing, and the other half on the issue of the certificate by the person to whom it may be issued; but this shall not be construed to enlarge the maximum of compensation now prescribed by law for any register or receiver: *Provided*, That nothing contained in this act shall be so construed as to impair or interfere in any manner whatever with existing preemption rights: *And provided, further*, That all persons who may have filed their applications for a preemption right prior to the passage of this act, shall be entitled to all privileges of this act: *Provided, further*, That no person who has served, or may hereafter serve, for a period of not less than fourteen days in the army or navy of the United States, either regular or volunteer, under the laws thereof, during the existence of an actual war, domestic or foreign, shall be deprived of the benefits of this act on account of not having attained the age of twenty-one years.

Not over one quarter section can be thus acquired.

Rules and regulations of Land Office.

Fees of registers and receivers, when to be paid.

Existing preemption rights not impaired.

Certain minors may have the privileges of this act.

SEC. 7. *And be it further enacted*, That the fifth section of the act entitled "An act in addition to an act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved the third of March, in the year eighteen hundred and fifty-seven, shall extend to all oaths, affirmations, and affidavits, required or authorized by this act.

Punishment for false swearing under this act.

1857, ch. 116, § 5.
Vol. xi. p. 250.

SEC. 8. *And be it further enacted*, That nothing in this act shall be so construed as to prevent any person who has availed him or herself of the benefits of the first section of this act, from paying the minimum price, or the price to which the same may have graduated, for the quantity of land so entered at any time before the expiration of the five years, and obtaining a patent therefor from the government, as in other cases provided by law, on making proof of settlement and cultivation as provided by existing laws granting preemption rights.

Applicant may have the land upon paying minimum price, &c., before the five years expire.

APPROVED, May 20, 1862.

May 20, 1862. CHAP. LXXVI. — *An Act making Appropriations to reimburse the contingent Fund of the Office of the Secretary of the Treasury, including Compensation of additional Clerks who may be employed according to the Emergencies of the Public Service, and for temporary Clerks, for the current fiscal Year and for the Year ending June thirtieth, Eighteen Hundred and Sixty-Three, and to provide for the Employment of additional Clerks in the Office of the Assistant Treasurer at St. Louis.*

Appropriation. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes hereafter expressed, *viz* :

Additional clerks.

1861, ch. 22.
Ante, p. 276.

To reimburse the contingent fund of the office of the Secretary of the Treasury, for additional clerks authorized by the act of July twenty-seventh, eighteen hundred and sixty-one, and for temporary clerks in the Treasury Department for the year ending thirtieth of June, eighteen hundred and sixty-two, fifty thousand six hundred and fifty dollars.

Temporary clerks.

For temporary clerks in the Treasury Department for the year ending June thirtieth, eighteen hundred and sixty-three, one hundred and three thousand dollars : *Provided*, That the Secretary of the Treasury be, and he is hereby authorized in his discretion to classify the temporary clerks so authorized according to the character of their services, or assign to such of them as he shall see fit any compensation not exceeding that of clerks of the first class.

Classification.

Furniture, stationery, &c.

For the necessary furniture, stationery, and labor consequent upon the increased clerical force, seven thousand dollars.

Chief clerk and assistant authorized in office of Assistant Treasurer of St. Louis.

SEC. 2. *And be it further enacted*, That from and after the thirtieth day of June, eighteen hundred and sixty-two, there shall be employed in the office of the Assistant Treasurer at St. Louis a chief clerk and teller with an annual salary of eighteen hundred dollars, and one assistant clerk with an annual salary of twelve hundred dollars ; and the sum of three thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the salaries of said chief clerk and assistant clerk for the fiscal year ending June thirty, eighteen hundred and sixty-three : *Provided*, That the clerks hereby authorized are to be in the place of all other clerical force now authorized by law for said office.

Salaries.

Appropriation.

APPROVED, May 20, 1862.

May 20, 1862. CHAP. LXXVII. — *An Act to provide for the Public Instruction of Youth in Primary Schools throughout the County of Washington, in the District of Columbia, without the Limits of the Cities of Washington and Georgetown.*

Commissioners of primary schools to be appointed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Levy Court of the county of Washington, in the District of Columbia, at their first meeting after the passage of this act, shall appoint seven intelligent inhabitants of the said county, who shall reside without the limits of the cities of Washington and Georgetown, two of whom shall be residents of that portion of the said county lying and being west of Rock Creek, three between Rock Creek and the Eastern Branch, and two east and south of the Eastern Branch, to be Commissioners of Primary Schools for said county, which said commissioners shall hold their offices until the second Monday in May, in the year one thousand eight hundred and sixty-three, and until others are appointed in their places ; and in case any of the said commissioners thus appointed or to be appointed as aforesaid shall refuse to serve, or die, or remove from the county, or become incapable of serving, the vacancy or vacancies shall be filled by the Levy Court as soon as practicable.

Term of office.

Vacancies.

Commissioners to take oath.

SEC. 2. *And be it further enacted*, That each of the said commissioners, before he enters upon the execution of his office, and within fifteen days after notification of his appointment by the said Levy Court, shall take and subscribe an oath before some Justice of the Peace of the said

county, in form following, that is to say: "I, _____, do solemnly and sincerely promise and swear, (or affirm, as the case may be,) that I will in all things, to the best of my knowledge and ability, well and truly execute the trust reposed in me as commissioner of primary schools for the county, without favor or partiality;" and every justice of the peace before whom such oath shall be taken shall, without fee or reward, certify the same in writing, and, within eight days thereafter, transmit or deliver said certificate to the clerk of the Levy Court for record.

Form of oath.

SEC. 3. *And be it further enacted*, That it shall be the duty of the commissioners of primary schools, or a majority of them, to divide the county into seven suitable and convenient school districts, two of which shall be located west of Rock Creek, three between Rock Creek and the Eastern Branch, and two east and south of the Eastern Branch, and to alter and regulate the same as hereinafter provided. And it shall be the further duty of the commissioners of primary schools aforesaid, immediately after the formation or alteration of any such school districts in said county, to describe and number the same, and deliver the description and number thereof, in writing, to the Clerk of the Levy Court, who is hereby required to receive and record the same in the records of that court without fee or reward: *And provided*, That in laying off said school districts, or in altering the same, no tracts, or parts of tracts, of land lying contiguous and forming one farm, shall be divided so that portions of the same property shall be included in two separate districts.

Record thereof.

County to be divided into school districts.

Record thereof.

Districts to be of contiguous territory, &c.

SEC. 4. *And be it further enacted*, That the said commissioners may alter and change the school districts with a view to their better arrangement and the more general convenience of the people: *Provided, however*, That, unless the trustees of the districts so to be altered or changed shall assent thereto, no such alteration or change shall be made.

May be changed if, &c.

SEC. 5. *And be it further enacted*, That it shall be the duty of the county collector to notify the different officers to be appointed, in virtue of the provisions of this act, of their appointments within ten days after his having received notice of such appointments from the appointing power, whose duty it shall be to give such notice to the county collector aforesaid.

County collector to notify officers of their appointment.

SEC. 6. *And be it further enacted*, That the said commissioners shall hold two stated meetings in each year, which meetings shall be held at such place and at such times as shall be determined on by said commissioners, and of which they shall give public notice in each of said school districts, and such other meetings as circumstances may from time to time require; but if less than three members attend any meeting no business shall be transacted thereat, except that of adjourning to some time and place to be agreed on by the commissioners present, and at all meetings of said commissioners the treasurer of the school fund of the county hereinafter to be appointed, shall attend and lay before them his books and accounts for their inspection and examination.

Commissioners to hold two stated meetings each year.

Other meetings. Quorum.

Treasurer of school fund to be present and submit his books, &c., for inspection.

SEC. 7. *And be it further enacted*, That the said commissioners shall cause to be kept a regular record of all their acts and proceedings in a book to be kept for that purpose, and said record, or a copy thereof, certified to be correct under the hands and seals of a majority of said board of commissioners shall be considered evidence of their acts and proceedings in all judicial proceedings. And the board of commissioners aforesaid shall have power to appoint a clerk, prescribe his duties, and pay him a salary, and also to allow the treasurer of the school fund, hereinafter to be appointed, an annual compensation for his services out of the general school fund, hereinafter to be provided: *Provided*, That neither the said clerk nor treasurer shall be paid more than one hundred dollars per annum.

Record of acts of commissioners to be kept.

Clerk, pay, duties, &c.

Pay of treasurer.

SEC. 8. *And be it further enacted*, That on the second Monday in May, in the year eighteen hundred and sixty-three, and annually thereafter, the

Candidates for teachers to be examined.

said Levy Court shall appoint one of said board of commissioners from each primary school district; and the said commissioners appointed as aforesaid shall, each acting in his respective district, examine all persons who shall offer themselves as candidates for teaching in such district; and in such examination it shall be the duty of the commissioners aforesaid to inquire, and, so far as he shall be enabled thereto, to ascertain and inform himself as to all the qualifications mentioned and contained in the certificate hereinafter specified and given in form; and if he shall be satisfied as to the sufficiency of such qualifications he shall certify in writing, under his hand, and deliver such certificate to the person so examined by him as aforesaid in form and substance following, viz:

Qualifications.

Certificate.

“I, the undersigned, resident commissioner of primary schools of district No. —, do certify that I have examined —, and do believe he (or she, as the case may be,) is of a good moral character, and of sufficient learning and ability, and in all other respects well qualified to teach a primary school. Given under my hand the — day of —, in the year of our Lord one thousand eight hundred and —, —, Commissioner of primary school district No. —”; and dismiss any intemperate, cruel, negligent, or immoral teachers, and cause to be put up in every school-house such general system of rules and regulations as may be adopted by the board of commissioners, which board shall also direct what books shall be used, and what branches shall be taught; and the resident commissioners aforesaid shall visit the schools in each of their respective districts at least twice a year, exercise a general supervision, and endeavor to promote a full, equal, and useful instruction of the youth of said county.

Dismissal of teachers.

School books.

Visitation of schools.

Proceedings when a school district is formed.

Notice of first meeting of inhabitants.

SEC. 9. *And be it further enacted,* That whenever any school district shall be formed by the commissioners of primary schools as aforesaid it shall be the duty of the said commissioners, within twenty days thereafter, to make a notice in writing describing the metes and bounds of such district, and appoint a time and place for the first district meeting, and notify the taxable white inhabitants residing in such district as aforesaid, by public advertisements to be put up at the most public places of the said district, at least six days before the time of such meeting; and in case such notice shall not be given as aforesaid, or the inhabitants of such district when so notified shall neglect or refuse to assemble or form a district meeting in pursuance of such notice, or in case any district, having been formed or organized in pursuance of such notice, shall, in the opinion of the commissioners aforesaid, be dissolved by adjournment without day, or from any other cause whatever, it shall and may be lawful for the commissioners aforesaid, or any one of them, at any time thereafter, to renew such notice, and the white inhabitants of such district liable to pay taxes as aforesaid shall assemble together, in pursuance of such notice, and when so assembled in district meeting it shall and may be lawful for them, or a majority of such of them as shall be present at such district meeting, to adjourn to any other time or place; and at such first or any future legal district meeting it shall and may be lawful for them, or a majority of them as shall be present as aforesaid, to adjourn from time to time as occasion may require, to fix on a time and place for holding their future annual meetings, which annual meetings they are hereby authorized and required to hold; to choose by ballot three trustees to manage the concerns of such school district, and one district collector; also to designate a suitable and central site for a school-house; to vote a tax on the property in such school district owned by white persons, sufficient, in addition to the proportion of the school fund (hereinafter to be provided for) allotted to such school district, to purchase, lease, or rent a site for a school-house; to build, lease, or rent and keep in repair said house; to supply fuel, books, stationery, and furniture; to pay the salary of a teacher, and all other necessary expenses: *Provided, however,* That

Trustees.

Site for school-house.

Tax, &c.

no location of a school-house shall be fixed upon unless the same be approved by a majority of the commissioners, and no change shall be made after such school-house shall have been built but by consent of a majority of said commissioners; all the expenses incurred by making such change shall be defrayed by donation or by levies authorized to be made by a majority of the white citizens of such school district upon the assessable property therein owned by white persons.

SEC. 10. *And be it further enacted,* That the clerk of the Levy Court shall annually, without fee or reward, make out for the trustees of primary school districts, or such of them as shall apply for the same, copies from the assessment books of said county of all the assessable property in said district or districts.

Copies of assessment books to be made for trustees

SEC. 11. *And be it further enacted,* That all meetings of the school districts, held for the purpose aforesaid, shall be organized by appointing a president and clerk *pro tempore*, who shall take minutes of the proceedings, specifying particularly the amount of tax voted by said meetings, and deliver the same, certified under their hands and seals, within ten days after such meeting, to the commissioners of primary schools, or any one of them, to be delivered by them or him to the clerk of the commissioners, and by him to be recorded in a book kept for that purpose.

Meetings of school districts, how organized.

Records of meetings.

SEC. 12. *And be it further enacted,* That all tax to be voted by the citizens of any and every school district in said county, under and by virtue of this act, shall be levied on all the assessable property in said district owned by white persons, agreeably to the assessments of the last preceding county tax.

Tax, upon what to be levied.

SEC. 13. *And be it further enacted,* That it shall be the duty of the Levy Court of the county aforesaid, at their first meeting after the passage of this act, and in each succeeding year thereafter, when the annual county levy is made, to impose and levy a school tax of one eighth of one per cent. on all the assessable property of said county, without the limits of the cities of Washington and Georgetown, owned by white persons, for the support of primary schools hereby authorized in said county, which tax shall be due at the same time, and shall be collected by the county collector in the same manner and under the same regulations and restrictions as are prescribed by law in relation to the collection of other county taxes, and which are hereby made applicable to the collection of the school tax imposed by this act, and when collected shall be paid to the treasurer of the Levy Court, who is hereby constituted and appointed treasurer of the primary school fund for said county, and who shall qualify by making oath or affirmation that he will well and faithfully discharge the duties required of him by law as treasurer of the school fund for said county, and not use the same to his own use or advantage, and he shall also give bond to the United States, with two good and sufficient sureties, conditioned for the faithful discharge of the duties required of him by this act, which bond, being approved by the commissioners of primary schools aforesaid, shall be filed with the Clerk of the Circuit Court of the District of Columbia, who is hereby required to file the same without fee or reward; and a copy of the said bond, under seal of said court, shall be sufficient evidence of the making thereof.

School tax to be levied for primary schools,

when and how to be collected.

SEC. 14. *And be it further enacted,* That it shall be the duty of the trustees of each school district, whenever a district meeting shall have voted a sufficient tax for that purpose, to purchase a suitable site for their school-house, and to build, keep in repair, and furnish such school-house with necessary fuel, books, stationery, and appendages; and it shall be the further duty of the trustees aforesaid to agree with and employ all teachers to be employed in such district: *Provided,* That no teachers shall be employed by them who shall not have received the certificate of approbation from the commissioners of primary schools aforesaid, as hereinbefore provided; and it shall be the further duty of the trustees to

School treasurer.

Bond.

Trustees to provide school-house, books, &c.; to employ teachers and pay them.

pay the salaries of teachers out of the apportionment of the school fund for their respective districts which shall come into their hands through the commissioners aforesaid, so far as the same shall be sufficient for that purpose.

Trustees to
take oath.

SEC. 15. *And be it further enacted*, That before the trustees of any school district shall enter upon the duties of their office, they shall each take an oath or make affirmation before a justice of the peace of said county, or one of the commissioners of primary schools, who is hereby authorized to administer the same, that he will well and truly discharge the duties pertaining to his said office of trustee, without prejudice or partiality, and according to law; and it shall be the duty of the said trustees of each of said school districts, or a majority of them, to furnish, at the expiration of their term of service, to the commissioners aforesaid, a correct statement of all money transactions done by them in virtue of their office as trustees of said primary school district.

Commissioners
to apportion
moneys.

SEC. 16. *And be it further enacted*, That it shall be the duty of the commissioners of primary schools aforesaid to apportion all moneys which shall come into the hands of the treasurer of the school fund aforesaid, under and by virtue of the provisions of this act, after paying the salaries of the clerk of the commissioners and the treasurer of the school fund, for the use of primary schools aforesaid, as soon as may be after such moneys shall be received by the said treasurer, equally among the several school districts in said county which shall have complied with the provisions of this act; and all moneys so to be apportioned by the commissioners, as aforesaid, shall be caused to be paid by them, according to such apportionment, to the trustees of the district to which such moneys shall be apportioned as aforesaid, whose receipts therefor shall be good and sufficient evidence of such payment, which moneys, so to be received by the trustees, as aforesaid, shall be applied and expended by them, after the apportionment for the first year, in paying the salaries of the teachers to be employed by them, and for no other purpose: *Provided*, That no moneys apportioned, as aforesaid, except the apportionment made for the first year, shall be paid by the commissioners aforesaid, until the white taxable inhabitants, and the trustees of the district to which such moneys shall be apportioned, as aforesaid, shall have substantially complied with the provisions of this act: *And provided further*, That it shall not be lawful for the commissioners aforesaid to draw any moneys from the hands of the treasurer of the school fund aforesaid, after paying the salaries of the clerk of the commissioners and the treasurer of the school fund aforesaid, except by draft in favor of the trustees of the school district to which such moneys shall be apportioned as aforesaid; and all moneys which shall be apportioned by the commissioners as aforesaid, and which shall remain unpaid for the space of two years thereafter, either from the omission or neglect of the trustees of the primary school district entitled to receive the same to apply therefor and to make the necessary certificates to entitle them to the same, or from any defect in such certificates, said moneys shall, after the expiration of said term, be added to the moneys next thereafter to be apportioned by the said commissioners, and shall be apportioned and paid together with such moneys as aforesaid.

Proceedings
thereon.

Term of office
of school trust-
tees.

SEC. 17. *And be it further enacted*, That the trustees of each school district shall hold their office till their successors shall be elected and qualified, and in case of vacancy such vacancy shall be filled by the remaining trustees within one month; and in case the said trustees shall fail to fill such vacancy within that time, then it shall be the duty of the commissioners of primary schools as soon as may be thereafter.

Vacancies.

Penalty on
trustee for mak-
ing false certifi-
cate.

SEC. 18. *And be it further enacted*, That if any trustee of any primary school district shall make a false certificate or report, by means whereof any moneys shall be fraudulently obtained from the commis-

sioners aforesaid, such trustee signing such certificate or report shall forfeit and pay double the amount so fraudulently obtained to the commissioners of primary schools, to be recovered, with costs of suit, by action of debt before any court of justice, or any justice of the peace having cognizance thereof, in the name of said commissioners; and such sum, exclusive of the cost of suit, shall be applied, when recovered, to the use of the primary school in such district.

SEC. 19. *And be it further enacted,* That the said trustees shall keep an account of their proceedings in a book kept for that purpose, and shall also keep an account against the district collector for the sums authorized to be collected, and for other sums paid into his hands, and shall give him credit for the sums legally paid by him, also for his legal commissions, and for such taxes as cannot be collected by legal steps and proper diligence; and that said collector shall have the keeping of all moneys collected by him, and other sums paid into his hands, subject to the written order of a majority of the trustees, drawn in favor of such persons having claims against said school district, and he shall report to the trustees whenever required the amount of funds in his hands and a full statement of his accounts.

Trustees to keep account of their proceedings.
Collector.

SEC. 20. *And be it further enacted,* That the trustees of any primary school district in said county shall be and they are hereby authorized, in their discretion, to require from any child attending school the payment of any sum of money not exceeding one dollar a month, to be applied to the payment of the expenses of said district school; and in the exercise of this power the trustees aforesaid may, from time to time, discontinue the payment thereof altogether, or may graduate the payments according to the ability of the children and the exigencies of the school.

Trustees may require payment from school children;

SEC. 21. *And be it further enacted,* That it shall be the duty of the trustees of each school district, whenever a district meeting shall have voted a district tax, as soon as may be, to make a rate bill or tax list, which shall raise the sum voted for, in due proportion on all the taxable property in such district, agreeably to the assessment of the last preceding county tax, and to annex to such tax list or rate bill a warrant, and to deliver the same to the collector of such district, which warrant shall be substantially as follows:

to make rate bills or tax lists

to deliver warrant to collector.

“ COUNTY OF WASHINGTON, D. C., ss.

Form of warrant.

To ———, collector of the ——— district in the county aforesaid, greeting: You are hereby required and commanded to collect from each of the inhabitants of said district the several sums of money written opposite to the name of each of said inhabitants in the annexed tax list, and within sixty days after receiving this warrant to pay the amount of the moneys by you collected to the order of the trustees of said district or a majority of them; and if any one or more of said inhabitants shall neglect or refuse to pay the same, you are hereby further commanded to levy on the goods and chattels of each delinquent, and make sale thereof according to law. Given under our hands and seals this ——— day [of] ———, A. D. ———.

P, }
Q, } Trustees."
R, }

And if the sum or sums payable by any person named in such tax list or rate bill shall not be paid by him or collected by virtue of said warrant within the time therein limited, it shall be lawful for the trustees aforesaid to renew such warrant in respect to such delinquent person or persons.

SEC. 22. *And be it further enacted,* That it shall be the duty of the trustees of each district to make a report to the commissioners of primary schools on or before the thirty-first day of December in each year, in which report shall be stated the sums received from different sources, the

Trustees to report annually to commissioners.

Contents of report.

amount expended, and in what manner, the number of children taught in said school, and the whole number of white children in said district between the ages of five and sixteen years.

Collector to give bond.

SEC. 23. *And be it further enacted,* That the collector of each school district shall give bond with security, to the satisfaction of the trustees, for the faithful discharge of the duties of his office, and shall have the same power and authority, and have the same fee for collecting, and be subject to the same rules, regulations, and duties, with respect to the collection of the district tax as by law appertain to the office of collector of the county tax; and the said county collector may be eligible as the school district collector.

Each organized school district to be a corporation.

SEC. 24. *And be it further enacted,* That each organized school district shall be a corporation by the name of "Primary School District, No. —," (the blank to be filled with an appropriate number,) with power to take and hold by devise, bequest, and donation, real and personal estate for the use of the primary school in said district, and may alien and sell the same, when, in the opinion of the trustees and resident commissioner of said district, it will be for the interest and advantage of the primary school in said district, and invest the money arising from the sale in some safe and profitable stock, and the dividends received from the same apply to the use of such primary school, and in their corporate name prosecute and maintain actions for injury done to the grounds, houses, property, school-houses, appurtenances, and furniture, and may sue for and receive all moneys due them, or for real and personal property to which they may be entitled.

Power and duty of corporation.

Collection of taxes which are a charge upon lands

SEC. 25. *And be it further enacted,* That when any land in any school district in said county may become charged for the payment of any school tax, and the collector of the tax can find no personal property in said district liable for or chargeable with the payment of the same, the said collector shall be and is hereby directed and required to return to the trustees of the said district, at such time or times as the said trustees shall direct or require, a list of such lands and the amount of taxes thereon respectively due, and the names of the persons respectively chargeable with the payment of the same, and the said trustees shall thereupon have and exercise, in relation to said lands, all the powers which might or could be exercised by the levy court of said county in like cases, and the collector of said school district shall have the same powers and authority, and be subject to the same rules, regulations, and duties in the premises as by law appertain to the office of the collector of county taxes in like cases.

Trustees may take land for school-house.

Proceedings in such case.

SEC. 26. *And be it further enacted,* That in case the trustees of any school district should not be able to purchase or lease a suitable site for the erection of their school-house, they shall have power to value and assess a convenient lot, with the improvements thereon, if any, not exceeding one acre of land for that purpose, and the decision of the said trustees as to the worth of the said land and improvements, if any, shall be final and conclusive, unless an appeal shall be prosecuted as hereinafter provided, and the amount of damage for the land and improvements, if any, so valued and assessed as aforesaid, being paid or offered to be paid to the person or persons entitled to receive the same, of which payment or offer to pay a certificate, signed by a majority of the said trustees, and recorded among the land records of Washington county, or a copy of such record duly certified and sealed, shall be sufficient evidence; the said trustees, in their corporate character, shall be thenceforward considered the lawful owners of the said land and improvements, if any, and all right, title, estate, and interest therein, at law or in equity, shall be vested in them for the purpose aforesaid: *Provided, however,* That if the owner or owners of the said land and improvements, if any, his, her, or their guardian or guardians, trustee or trustees, shall conceive him, her, or them-

Owners of land may have a jury.

selves aggrieved by such valuation and assessment, and shall, within thirty days after the payment of the valuation so offered as aforesaid, notify to the said trustees the same in writing, it shall and may be lawful, and it shall be the duty of the said trustees, or a majority of them, to issue their warrant to the marshal of the District of Columbia, commanding him to summon a jury of six freeholders of the school district, not interested in the matter, to appear, on a day by the said trustees to be appointed, on the premises; and any one of the said trustees, or any justice of the peace of the said county, is authorized to administer an oath or affirmation, as the case may be, to each and every person so summoned as aforesaid, that he will, without favor, affection, partiality, or prejudice, assess the damages sustained by the person or persons at whose request the said inquisition shall be taken, by reason of his, her, or their land and improvements, if any, about to be made as aforesaid, and the persons so summoned and qualified as aforesaid shall thereupon proceed to value and assess the damages accordingly: *Provided*, That if such appeal from the assessment and valuation of the said trustees be confirmed by the jury herein directed to be summoned and qualified as aforesaid, or should the same be reduced to a lower rate of valuation and assessment by the said jury, the party appealing in that case shall pay the whole expense incurred thereby, otherwise the trustees, in their corporate character as such, shall pay the expense incurred by reason of such appeal.

Proceedings.

SEC. 27. *And be it further enacted*, That the said trustees or the said jury, as the case may be, immediately after they shall have completed their valuation and assessment or inquisition, as aforesaid, and done all things required of them, or either of them, as the case may be, under the provisions of this act, shall make out a fair statement of their proceedings, setting forth in the same a full and distinct description of the land or real estate and improvements, if any thereon, as valued by them or either of them, as the case may be, and all matters and things connected with the said valuation and assessment, and the performance of the duties required of them by this act, and to the said copy, fairly to be written out as aforesaid, they shall subscribe their names and thereunto affix their seals, and they shall deposit the same in the office of the clerk of the circuit court of the District of Columbia, and it shall be the duty of the said clerk to preserve a record of the said proceedings without fee or reward; and a copy of such record, certified by the said clerk under the seal of the said court, shall be evidence of all matters therein stated, in the same manner as certified copies of other records are evidence.

Proceedings of trustees or of jury to be recorded.

SEC. 28. *And be it further enacted*, That in the event of an appeal and the inquisition of a jury, as provided by this act, the amount of damages for the land or real estate and improvements so valued and assessed as aforesaid, being paid or offered to be paid as aforesaid, the said trustees, in their corporate character as aforesaid, shall thenceforward forever thereafter be considered the lawful owners of the said land and improvements as aforesaid, and all right, title, interest, and estate therein, at law or in equity, shall be vested in the said trustees for the purpose aforesaid: *Provided*, That it shall not be lawful to locate the said site in the orchard or garden, nor within three hundred yards of any dwelling of any person or persons whatever, without the assent of the proprietor of such orchard, garden, or dwelling, as the case may be.

Upon payment for the land, school district to own it in fee.

School-houses not to be placed within, &c.

SEC. 29. *And be it further enacted*, That if any treasurer or collector, having any school funds in his hands, or neglecting or refusing to obtain such funds as by law authorized and directed, shall refuse to pay for two weeks any order of the said commissioners or trustees, or a majority of either, drawn in conformity to the requisitions of this act, such treasurer or collector shall be liable, on proof thereof before any court of justice or justice of the peace having cognizance, and without stay of execution, to pay the full amount of said order and interest thereon, at the rate of

Penalty on treasurer or collector for neglect of duty.

twenty per centum per annum, from the first refusal until the day of payment, by way of damages.

Penalty on collector for collecting more than is due.

SEC. 30. *And be it further enacted*, That if any collector, appointed or acting under the provisions of this act, shall in any case collect more than is due, the person aggrieved shall have his remedy against such collector by suit or warrant, and if he recover he shall have judgment for double the amount improperly and unjustly extorted from him, and costs.

Supervision of commissioners and of trustees.

SEC. 31. *And be it further enacted*, That the Levy Court of Washington county shall exercise a general supervision over the proceedings of said commissioners, may examine their books and papers, and shall prosecute for any delinquencies or violations of their duty; and the said commissioners shall exercise the same power over the proceedings, books, and papers of the trustees in the several school districts, and shall prosecute for all violations of this act by them committed.

Trustees may enforce discipline.

SEC. 32. *And be it further enacted*, That the trustees of the several school districts shall have the power of exercising discipline in their respective schools by the expulsion of the refractory pupil, or such other punishment as may be necessary to correct the evil, and carry out the great ends of education, moral and intellectual; and they may permit any of the said school-houses to be used for public worship.

School-houses may be used for public worship.

Parents may select schools.

SEC. 33. *And be it further enacted*, That any white resident of said county shall be privileged to place his or her child or ward at any one of the schools in said county she or he may think proper to select.

Who may not be commissioner or trustee.

SEC. 34. *And be it further enacted*, That it shall not be lawful for a member of the levy court of said county to be a commissioner of primary schools, or trustee of any of the school districts, nor for any person to be at the same time commissioner and trustee as aforesaid.

Levy Court may levy tax for education of colored children.

SEC. 35. *And be it further enacted*, That the said Levy Court may, in its discretion, and if it shall be deemed by said court best for the interest and welfare of the colored people residing in said county, levy an annual tax of one eighth of one per cent. on all the taxable property in said county outside the limits of the cities of Washington and Georgetown, owned by persons of color, for the purpose of initiating a system of education of colored children in said county, which tax shall be collected in the same manner as the tax named in section thirteen of this act. And it shall be the duty of the trustees elected under section nine to provide suitable and convenient rooms for holding schools for colored children, to employ teachers therefor, and to appropriate the proceeds of said tax to the payment of teachers' wages, rent of school-rooms, fuel, and other necessary expenses pertaining to said schools, to exercise a general supervision over them, to establish proper discipline, and to endeavor to promote a full, equal, and useful instruction of the colored children in said county. It shall be lawful for such trustees to impose a tax of not more than fifty cents per month on the parent or guardian of each child attending such schools, to be applied to the payment of the expenses of the school of which such child shall be an attendant; and in the exercise of this power the trustees may, from time to time, discontinue the payment altogether, or may graduate the tax according to the ability of the child and the wants of the school. And said trustees are authorized to receive any donations or contributions that may be made for the benefit of said schools by persons disposed to aid in the elevation of the colored population in the District of Columbia, and to apply the same in such manner as in their opinion shall be best calculated to effect the object of the donors, said trustees being required to account for all funds received by them, and to report to the commissioners, in accordance with the provisions of section twenty-two of this act.

Tax, how collected.

Trustees to provide school-houses, employ teachers, &c.

may impose tax on parents, &c.

may receive donations, &c.

This act, how to be construed

SEC. 36. *And be it further enacted*, That this act be, and the same is hereby, declared public and remedial, and shall be construed by all courts of justice according to the equity thereof; and no proceedings of the

inhabitants or of the trustees of any school district, or of the commissioners of primary schools, or of any other officer created under the provisions of this act, shall be set aside or adjudged to be void for defect of form, or for any irregularity therein, so as the requisitions of the said act are substantially complied with.

APPROVED, May 20, 1862.

CHAP. LXXVIII. — *An Act prescribing the Qualification of Electors in the Cities of Washington and Georgetown, in the District of Columbia.* May 20, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all municipal elections in the cities of Washington and Georgetown, in the District of Columbia, during the existence of the present rebellion, every person who shall offer to vote at any such election, and who shall be challenged by any legal voter on the ground of disloyalty to the government of the United States, shall, before his vote shall be received, in addition to the requirements now established by law, take and subscribe to the following oath or affirmation, namely: "I do solemnly swear (or affirm, as the case may be) that I will support, protect, and defend the Constitution and Government of the United States against all enemies, whether domestic or foreign; that I will bear true faith, allegiance, and loyalty to the same, any ordinance, resolution, or law of any State Convention, Legislature, or order or organization, secret or otherwise, to the contrary notwithstanding, and that I do this with a full determination, pledge, and purpose, without any mental reservation or evasion whatsoever; and, further, that I have always been loyal and true to the Government of the United States. So help me God." The said oath or affirmation may be taken before any justice of the peace, notary public, or other person legally authorized to administer oaths in the District of Columbia; and the production of the certificate, in writing, of any such justice of the peace, notary public, or other person so authorized to administer oaths, with a copy of such oath or affirmation, that said oath has been taken and subscribed to by the person producing such certificate, shall be deemed by the commissioners of election sufficient evidence of the fact. And it shall also be lawful for the commissioners of election, or any one of them, during the time of holding such elections, to administer said oath. And any person or persons violating said oath, or making any false statement in taking the same, shall be subject to all the pains and penalties of wilful and corrupt perjury, and shall be liable to be indicted and prosecuted to conviction before any court in said District of Columbia having competent jurisdiction thereof.

Persons offering to vote at municipal elections, in Washington and Georgetown, if challenged for disloyalty, shall take oath.

Form of oath.

Who may administer oath.

Proof.

Violation of oath, or false statement in taking, to be deemed perjury. Penalty.

APPROVED, May 20, 1862.

CHAP. LXXIX. — *An Act to provide for the Codification and Revision of the Laws of the District of Columbia.* May 20, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be and he is hereby authorized and empowered to appoint, by and with the advice and consent of the Senate, three suitable persons, learned in the law, to revise and codify the laws of the District of Columbia.

Commission to revise, &c., the laws of the District of Columbia.

SEC. 2. *And be it further enacted,* That the persons who shall be thus appointed shall render a final report of their revision and codification to Congress on or before the first Monday of December next.

Final report. Post, pp. 582, 764.

APPROVED, May 20, 1862.

CHAP. LXXX. — *An Act to authorize the Appointment of Medical Store-keepers and Chaplains of Hospitals.* May 20, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War

Medical store-keepers authorized.

Pay, bond, &c.

Act, how long to continue.

Chaplain for permanent hospitals.

Pay, &c.

Post, p. 595.

be authorized to add to the medical department of the army medical storekeepers, not exceeding six in number, who shall have the pay and emoluments of military storekeepers in the quartermaster's department, who shall be skilled apothecaries or druggists, who shall give the bond and security required by existing laws for military storekeepers in the quartermaster's department, and who shall be stationed at such points as the necessities of the army may require: *Provided*, That the provisions of this act shall remain in force only during the continuance of the present rebellion.

SEC. 2. *And be it further enacted*, That the President of the United States is hereby authorized to appoint, if he shall deem it necessary, a chaplain for each permanent hospital, whose pay, with that of chaplains of hospitals heretofore appointed by him, shall be the same as that of regimental chaplains in the volunteer force; and who shall be subject to such rules in relation to leave of absence from duty as are prescribed for commissioned officers of the army.

APPROVED, May 20, 1862.

May 20, 1862.

1861, ch. 3.
Ante, p. 255.

CHAP. LXXXI.—*An Act supplementary to an Act approved on the thirteenth July eighteen hundred and sixty-one, entitled "An Act to provide for the Collection of Duties on Imports, and for other purposes."*

Clearances may be refused to vessels, if, &c.

Vessels departing, &c., without clearance to be forfeited.

Upon granting clearance, collector may require a bond.

Condition of bond.

Transportation of certain goods to be prohibited and prevented.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury, in addition to the powers conferred upon him by the act of the thirteenth July, eighteen hundred and sixty-one, be, and he is hereby, authorized to refuse a clearance to any vessel or other vehicle laden with goods, wares, or merchandise, destined for a foreign or domestic port, whenever he shall have satisfactory reason to believe that such goods, wares, or merchandise, or any part thereof, whatever may be their ostensible destination, are intended for ports or places in possession or under control of insurgents against the United States; and if any vessel or other vehicle for which a clearance or permit shall have been refused by the Secretary of the Treasury, or by his order, as aforesaid, shall depart or attempt to depart for a foreign or domestic port without being duly cleared or permitted, such vessel or other vehicle, with her tackle, apparel, furniture, and cargo, shall be forfeited to the United States.

SEC. 2. *And be it further enacted*, That whenever a permit or clearance is granted for either a foreign or domestic port, it shall be lawful for the collector of the customs granting the same, if he shall deem it necessary, under the circumstances of the case, to require a bond to be executed by the master or the owner of the vessel, in a penalty equal to the value of the cargo, and with sureties to the satisfaction of such collector, that the said cargo shall be delivered at the destination for which it is cleared or permitted, and that no part thereof shall be used in affording aid or comfort to any person or parties in insurrection against the authority of the United States.

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be and he is hereby further empowered to prohibit and prevent the transportation in any vessel, or upon any railroad, turnpike, or other road or means of transportation within the United States, of any goods, wares, or merchandise of whatever character, and whatever may be the ostensible destination of the same, in all cases where there shall be satisfactory reasons to believe that such goods, wares, or merchandise are intended for any place in the possession or under the control of insurgents against the United States; or that there is imminent danger that such goods, wares, or merchandise will fall into the possession or under the control of such insurgents; and he is further authorized, in all cases where he shall deem it expedient so to do, to require reasonable security to be given that goods, wares, or merchandise shall not be transported to any place un-

der insurrectionary control, and shall not, in any way, be used to give aid or comfort to such insurgents, and he may establish all such general or special regulations as may be necessary or proper to carry into effect the purposes of this act; and if any goods, wares, or merchandise shall be transported in violation of this act, or of any regulation of the Secretary of the Treasury, established in pursuance thereof, or if any attempt shall be made so to transport them, all goods, wares, or merchandise, so transported or attempted to be transported, shall be forfeited to the United States.

Provision for forfeiture thereof.

SEC. 4. *And be it further enacted*, That the proceedings for the penalties and forfeitures accruing under this act may be pursued, and the same may be mitigated or remitted by the Secretary of the Treasury in the modes prescribed by the eighth and ninth sections of the act of July thirtieth, eighteen hundred and sixty-one, to which this act is supplementary.

Proceedings for penalties and forfeitures.
Remission.

SEC. 5. *And be it further enacted*, That the proceeds of all penalties and forfeitures incurred under this act, or the act to which this is supplementary, shall be distributed in the manner provided by the ninety-first section of the act of March second, seventeen hundred and ninety-nine, entitled "An act to regulate the collection of duties on imports and tonnage."

Proceeds of penalties, &c., how distributed.
1799, ch. 22, § 91.
Vol. i. p. 697.

APPROVED, May 20, 1862.

CHAP. LXXXII. — *An Act to authorize the Corporation of Georgetown, in the District of Columbia, to lay and collect a Water Tax, and for other Purposes.* May 21, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Mayor, Recorder, Aldermen, and Common Council of Georgetown, in the District of Columbia, shall have full power and authority to levy and collect a tax not exceeding sixty cents per front foot on all lots and parts of lots within said corporate limits in front of or parallel to which water mains have been or may hereafter be laid; or, in their discretion, to appropriate from the corporate funds generally so much money as may be necessary to supply the inhabitants of said town with Potomac water from the aqueduct mains or pipes now laid or to be laid in the streets of said town by the United States; and to make all laws and regulations for the proper distribution of the same, subject to the restrictions prescribed by this act, and the act approved March the third, eighteen hundred and fifty-nine, and entitled "An act to provide for the care and preservation of the works constructed by the United States for bringing the Potomac water into the cities of Washington and Georgetown, for the supply of said water for all Government purposes, and for the uses and benefit of the inhabitants of said cities."

Corporation of Georgetown may lay a water tax.

May make rules for distribution of water.
1859, ch. 84, vol. xi. p. 435.

SEC. 2. *And be it further enacted*, That said Corporation shall have full power and authority to collect such taxes, when so fixed, in advance or otherwise, through such agents, collectors, or commissioners, as they may designate and appoint; and upon the failure of any owner of said lot or lots, or part thereof, to pay said taxes, to sell the same; or to stop the supply of water to the same, or to distrain and sell the personal effects of such owner, and in the case of any sale the same proceedings shall be observed as are adopted in enforcing the collection of the general tax of said town; and generally to enact such laws as may be necessary to furnish the inhabitants of said town with pure and wholesome water, and to carry into complete effect the powers herein granted: *Provided*, That the taxes levied by virtue of this act shall never be a source of revenue other than as a means of supplying said town with water.

Taxes, how collected.

SEC. 3. *And be it further enacted*, That in levying said front foot tax, said Corporation shall, in all cases where a lot or lots, or part thereof, may be situated at the intersection of two streets and fronting on the same,

Mode of levying tax.

so reduce and graduate the tax thereon as not to exceed in all a tax upon one hundred feet front; and shall, in all cases where said property may have a front on any one or more streets, of more than one hundred feet, so reduce and graduate the tax thereon as not to exceed a tax upon one hundred feet front.

Ordinances, &c., for distribution of water and collection of water tax, ratified.

List of ordinances, &c.

SEC. 4. *And be it further enacted*, That all ordinances and resolutions or parts thereof relating to the distribution of Potomac water through said town, and the collection of a water tax, and the ordinances and resolutions heretofore passed by said Corporation particularly mentioned in this section, be and the same are hereby ratified and confirmed, said ordinances and resolutions being described and identified as follows, to wit: A resolution approved April the twenty-third, eighteen hundred and fifty-nine, entitled "A resolution authorizing the tapping of water mains;" a resolution approved May the seventh, eighteen hundred and fifty-nine, entitled "A resolution authorizing the laying of a water main up High street;" an ordinance approved May the ninth, eighteen hundred and fifty-nine, entitled "An ordinance authorizing the distribution of the Potomac water through the city of Georgetown;" a resolution approved May the fourteenth, eighteen hundred and fifty-nine, entitled "A resolution repealing a part of a resolution for laying a water main up High street;" an ordinance approved July the second, eighteen hundred and fifty-nine, entitled "A supplement to an ordinance authorizing the distribution of the Potomac water through the city of Georgetown, approved May the ninth, eighteen hundred and fifty-nine;" a resolution approved July the second, eighteen hundred and fifty-nine, entitled "A resolution approving of certain contracts for distributing water through the town;" a resolution approved August the twentieth, eighteen hundred and fifty-nine, entitled "A resolution in relation to the water distribution;" a resolution approved September the seventeenth, eighteen hundred and fifty-nine, entitled "A resolution authorizing the water board to purchase water pipes;" a resolution approved September the seventeenth, eighteen hundred and fifty-nine, entitled "A resolution in relation to water distribution;" a resolution approved September the twenty-fourth, eighteen hundred and fifty-nine, entitled "A resolution supplementary to a resolution, entitled 'A resolution in relation to the water distribution, approved August the twentieth, eighteen hundred and fifty-nine;'" a resolution approved September the twenty-fourth, eighteen hundred and fifty-nine, entitled "A resolution in relation to the redemption of water stock;" a resolution approved October twenty-ninth, eighteen hundred and fifty-nine, entitled "A resolution in relation to water mains;" a resolution approved November the fifth, eighteen hundred and fifty-nine, entitled "A resolution approving the contract for patent water-pipes for Road street;" a resolution approved November the nineteenth, eighteen hundred and fifty-nine, entitled "A resolution repealing a portion of the resolution approved April the twenty-third, eighteen hundred and fifty-nine, in relation to tapping water-mains."

Property of delinquent tax payers may be sold.

Repeal of part of 1824, ch. 195, § 8. Vol. iv. p. 76.

SEC. 5. *And be it further enacted*, That in case of a failure to pay any taxes whatever laid by said corporation by virtue of its vested powers, it shall be lawful to sell, in the discretion of the collector or other proper officer, either the real or personal estate, or both, of the delinquent taxpayer; and so much of the eighth section of the act approved May the twenty-sixth, eighteen hundred and twenty-four, entitled "An act supplementary to the act 'to incorporate the inhabitants of the city of Washington,' passed the fifteenth of May, one thousand eight hundred and twenty, and for other purposes," as is in the following words, viz: "*Provided*, That no sale of real estate shall be made but where the owner or tenant of the property has not sufficient personal estate out of which to enforce a collection of the debt due," be and the same is hereby repealed.

SEC. 6. *And be it further enacted*, That the person or persons ap-

pointed to collect any taxes imposed by said corporation in pursuance of its vested powers shall have authority to collect the same by distress and sale of the goods and chattels of the person chargeable therewith, but no such sale shall be made unless ten days' previous notice thereof be given in some newspaper printed in the District of Columbia, aforesaid; and the provisions of the acts of Maryland now in force within said District relating to the right of replevying personal property taken in execution for public taxes shall apply to all cases of personal property taken by distress to satisfy taxes imposed by virtue of the corporate powers aforesaid.

Powers of collectors of taxes to distrain and sell.

SEC. 7. *And be it further enacted*, That said corporation shall have power and authority to repair any of the footways of the streets in said town, and to impose and collect such tax or taxes on the lot or lots, or parts thereof, adjoining the same, as may be necessary to pay the expense of such repairs.

Corporation may repair footways and tax lots adjoining.

SEC. 8. *And be it further enacted*, That so much of the first section of the act approved May thirty-one, eighteen hundred and thirty, entitled "An act to amend the charter of Georgetown," as is in the following words, viz: "*Provided*, That nothing in this act shall change the manner of giving notice of the sales of property owned by persons not residing in the District of Columbia," be and the same is hereby repealed.

Repeal of part of 1830, ch. 229, § 1. Vol. iv. p. 426.

APPROVED, May 21, 1862.

CHAP. LXXXIII. — *An Act providing for the Education of Colored Children in the Cities of Washington and Georgetown, District of Columbia, and for other Purposes.*

May 21, 1862.
Post, p. 537.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act it shall be the duty of the municipal authorities of the cities of Washington and Georgetown, in the District of Columbia, to set apart ten per centum of the amount received from taxes levied on the real and personal property in said cities owned by persons of color; which sum received for taxes, as aforesaid, shall be appropriated for the purpose of initiating a system of primary schools for the education of colored children residing in said cities.

Ten per cent. of taxes collected from persons of color in Washington and Georgetown to be set apart to educate colored children in said cities.

SEC. 2. *And be it further enacted*, That the boards of trustees of public schools in said cities shall have sole control of the fund arising from the tax aforesaid, as well as from contributions by persons disposed to aid in the education of the colored race, or from any other source, which shall be kept as a fund distinct from the general school fund; and it is made their duty to provide suitable rooms and teachers for such a number of schools as, in their opinion, will best accommodate the colored children in the various portions of said cities.

Trustees of public schools to have control,

to provide rooms, teachers, &c.,

SEC. 3. *And be it further enacted*, That the board of trustees aforesaid shall possess all the powers, exercise the same functions, and have the same supervision over the schools provided for in this act as are now exercised by them over the public schools now existing in said cities by virtue of the laws and ordinances of the Corporation thereof.

to have same powers as they now exercise over public schools now existing.

SEC. 4. *And be it further enacted*, That all persons of color in the District of Columbia, or in the corporate limits of the cities of Washington and Georgetown, shall be subject and amenable to the same laws and ordinances to which free white persons are or may be subject or amenable; that they shall be tried for any offences against the laws in the same manner as free white persons are or may be tried for the same offences; and that upon being legally convicted of any crime or offence against any law or ordinance, such persons of color shall be liable to the same penalty or punishment, and no other, as would be imposed or inflicted upon free white persons for the same crime or offence; and all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Persons of color in the District to be subject to same laws as free white persons,

to be liable to same penalties.

Repeal of inconsistent laws.

APPROVED, May 21, 1862.

May 26, 1862. CHAP. LXXXIV. — *An Act to provide for the Settlement of the Accounts of John A. Smith, Clerk of the Circuit Court and Criminal Court of the District of Columbia.*

Accounts of clerk of the circuit and criminal courts of the District of Columbia, how to be settled.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all settlements of accounts for fees, emoluments, and allowances by the clerk of the circuit and criminal courts of the District of Columbia, the accounting officers of the Treasury shall not hold said clerk responsible for any fees or charges not actually collected by him from the parties liable therefor, whenever the failure to make such collection shall be shown to result from the insolvency, non-residence, or other inability of the parties liable therefor; and the affidavit of said clerk that he has in vain used due diligence to collect said fees, accompanied by a certificate of the district attorney that he believes that the money cannot, by due diligence, be collected, shall be held and deemed sufficient proof for the allowance to said clerk of all fees and charges not actually collected by him; and said clerk shall thereupon be entitled to a credit in all settlements of his accounts heretofore made, in which he is charged for said uncollected fees, and said former settlements are hereby opened for the purpose of giving him said credit upon his affidavit and the certificate of the district attorney being produced to the proper accounting officers, in support of the credit so claimed by him.

Uncollected fees.

Clerk to be credited with salary of \$2500 out of fees collected, for services as clerk of criminal court.

SEC. 2. *And be it further enacted,* That the clerk of said circuit and criminal courts of the District of Columbia shall be credited in all settlements of account (made heretofore or which may be made hereafter) out of the fees collected by him, or due to him, a salary of twenty-five hundred dollars per annum for his services as clerk of said criminal court during the period in which he has received no compensation for his said services; and in all settlements made, or to be made, he shall be allowed out of his said fees collected by or due to him, in either of said courts, his proper and legal allowances, and all proper expenses; and it shall be the duty of the proper accounting officers to restate all former settlements of said accounts and settle the same in conformity with the provisions of this act.

Former accounts to be restated.

Repeal of inconsistent laws.

SEC. 3. *And be it further enacted,* That all laws and parts of laws inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, May 26, 1862.

May 26, 1862.

1862, ch. 58. Ante, p. 381.

CHAP. LXXXV. — *An Act to amend an Act entitled "An Act making Appropriations for the Service of the Post Office Department during the fiscal Year ending the thirtieth of June, eighteen hundred and sixty-three," approved April seventeenth, eighteen hundred and sixty-two.*

Payment to twenty-five additional clerks to be made from what fund.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provision of the first section of the act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three," approved April seventeenth, eighteen hundred and sixty-two, which appropriates the sum of eight thousand eight hundred dollars "for compensation of twenty-five additional clerks in the Post Office Department, authorized by the 'Act to promote the efficiency of the dead letter office,' approved January twenty-first, eighteen hundred and sixty-two, from the date of their appointment to the thirtieth of June, eighteen hundred and sixty-two," be and the same is hereby so amended, that the said sum of eight thousand eight hundred dollars shall be payable out of the appropriation made out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the revenue of the Post Office Department for the year ending the thirtieth of June, eighteen hundred and sixty-two, contained in the

1862, ch. 8. Ante, p. 332.

third section of the act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-two," approved March second, eighteen hundred and sixty-one.

1861, ch. 73, § 3.
Ante, p. 205.

APPROVED, May 26, 1862.

CHAP. LXXXVI. — *An Act to reduce the Expenses of the Survey and Sale of the Public Lands in the United States.* May 30, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That contracts for the survey of the public lands shall not become binding upon the United States until approved by the Commissioner of the General Land Office, except in such cases as said Commissioner shall otherwise specially order.

Contracts for surveys of public lands not to be binding until, &c.

SEC. 2. *And be it further enacted,* That the printed manual of instructions relating to the public surveys, prepared at the General Land Office, and bearing date February twenty-second, eighteen hundred and fifty-five, the instructions of the Commissioner of the General Land Office, and the special instructions of the surveyor general, when not in conflict with said printed manual, or the instructions of said Commissioner, shall be taken and deemed to be a part of every contract for surveying the public lands of the United States.

Certain instructions to be deemed part of contract.

SEC. 3. *And be it further enacted,* That the Commissioner of the General Land Office shall have power, and it shall be his duty, to fix the prices per mile for public surveys, which shall in no case exceed the maximum established by law; and that, under instructions to be prepared by said Commissioner, an accurate account shall be kept by each surveyor general of the cost of surveying and plating private land claims, to be reported to the General Land Office, with the map of such claim, and that patents shall not issue for any such private claim until the cost of survey and plating shall have been paid into the Treasury of the United States by the claimant.

Prices of surveys to be established.

Accounts to be kept.

Patents not to issue until, &c.

SEC. 4. *And be it further enacted,* That from and after the first day of July next, and upon the recommendation of the Commissioner of the General Land Office, approved by the Secretary of the Interior, the President may order that the Territories of Utah and Colorado shall constitute one surveying district, the duties of surveyor general in said district to be performed by the surveyor general of Colorado; and the surveying district of Nevada shall be united to that of California, the duties of the surveyor general of the former to be transferred to the surveyor general of California; and the transfer of the effects and archives of the offices to be made under the instructions of the Commissioner of the General Land Office.

Utah and Colorado to make one surveying district.

Surveyor general.

District of Nevada to be united to that of California.

Surveyor general, &c.

SEC. 5. *And be it further enacted,* That upon the recommendation of the Commissioner of the General Land Office, approved by the Secretary of the Interior, the President may order the discontinuance of any land office, and the transfer of its business and archives to any other land office within the same State or Territory.

Discontinuance of land offices.

SEC. 6. *And be it further enacted,* That from and after the first day of July next the compensation of registers and receivers in all the land offices in the United States shall be an annual salary of five hundred dollars to each, with the fees and commissions now prescribed by law, and to be paid by claimants, an additional fee in donation cases of five dollars for each final certificate for one hundred and sixty acres, ten dollars for three hundred and twenty acres, and fifteen dollars for six hundred and forty acres; to be accounted for in the same manner as fees and commissions in warrant and preëmption locations, with limitations as to maximum of salary prescribed by existing laws, and in accordance with such instructions as shall be given by the Commissioner of the General [Land] Office.

Pay of registers and receivers.

Settlements upon unsurveyed lands.

California.

Declaratory statement.

Mineral lands exempted.

Surveyor general of New Mexico to act as register and receiver.

So in other districts.

Salaries of surveyors general of California, Oregon, Washington, Utah, Nevada.

Settlers in townships may have a survey thereof when, &c.

Proviso.

SEC. 7. *And be it further enacted,* That in regard to settlements which by existing laws are authorized in certain States and Territories upon unsurveyed lands, which privilege is hereby extended to California, the preëmption claimant shall be, and is hereby, in all cases, required, from and after the first day of September, eighteen hundred and sixty-two, to file his declaratory statement within three months from the date of the receipt at the district land office of the approved plat of the township embracing such preëmption settlement: *Provided,* The provisions of this section shall not be held to authorize preëmption and settlement of mineral lands, which are hereby exempted from the provisions of this act.

SEC. 8. *And be it further enacted,* That from and after the first day of July next, and until otherwise ordered by the President, the duties of the register and receiver of New Mexico shall be transferred to and devolve upon the surveyor general of that Territory, and it shall and may be lawful for the President, in like manner, to transfer the duties of register and receiver in any district to the surveyor general where the public interest may require such transfer.

SEC. 9. *And be it further enacted,* That from and after the first day of July next the salary of the surveyor general of California shall not exceed three thousand dollars per annum, and [the] salaries of the surveyor general of Oregon and Washington shall not exceed two thousand five hundred dollars each per annum, and should the surveying districts of Utah and Nevada be hereafter established by order of the President, each as an independent district, the salaries of the surveyor general shall not exceed three thousand dollars each for said districts.

SEC. 10. *And be it further enacted,* That when the settlers in any township or townships, not mineral or reserved by Government, shall desire a survey made of the same, under the authority of the surveyor general of the United States, and shall file an application therefor in writing, and deposit in a proper United States depository, to the credit of the United States, a sum sufficient to pay for such survey, together with all expenses incident thereto, without cost or claim for indemnity on the United States, it shall and may be lawful for said surveyor general, under such instructions as may be given him by the Commissioner of the General Land Office, and in accordance with existing laws and instructions, to survey such township or townships, and make return thereof to the general and proper local land office: *Provided,* The townships so proposed to be surveyed are within the range of the regular progress of the public surveys embraced by existing standard lines or bases for the township and sub-divisional surveys.

APPROVED, May 30, 1862.

June 2, 1862.

CHAP. XC. — *An Act for the Survey of Grants or Claims of Land.*

Survey of certain land grants or claims, when to be made.

Limit of power of surveying officers.

Effect of want of survey or patent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all claims or grants of land in any of the States or Territories of the United States, derived from any foreign country or Government, shall be surveyed under the direction of the proper officers of the Government of the United States upon the application of the parties claiming or owning the same, and at their expense, which shall be paid or secured to the satisfaction of the Secretary of the Interior before the work shall be performed; but nothing in the law requiring the executive officers to survey land claimed or granted under any laws of the United States shall be construed either to authorize such officers to pass upon the validity of the titles granted by or under such laws, or to give any greater effect to the surveys made by them than to make such surveys *prima facie* evidence of the true location of the land claimed or granted, nor shall any such grant be

deemed incomplete for the want of a survey or patent when the land granted may be ascertained without a survey or patent.

APPROVED, June 2, 1862.

CHAP. XCI. — *An Act to allow the State of California an additional Representative in the thirty-seventh Congress.* June 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as the census has never been reliably taken in the State of California until the year eighteen hundred and sixty, and as it appears that the said State had sufficient population to entitle her to three representatives in the thirty-seventh Congress, and as three representatives have been duly elected to the thirty-seventh Congress under the supposition that the said State was entitled to the same, as appears by the certificate of the Governor thereof, and as direct taxes have been apportioned to and paid by said State under the census of eighteen hundred and sixty, therefore the said State shall be allowed three representatives in the thirty-seventh Congress, and for that purpose the whole number of representatives is hereby increased one, until the beginning of the thirty-eighth Congress.

APPROVED, June 2, 1862.

California to have three representatives in the thirty-seventh Congress.

CHAP. XCII. — *An Act abolishing certain Collection Districts and reducing Compensation of Officers of Customs in California.* June 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collection districts of Monterey, San Diego, Sacramento, Sonoma, San Joaquin, and San Pedro, heretofore established by law, are hereby abolished, and the same attached to the collection district of San Francisco; and there shall be appointed, in the usual manner, an inspector at each of the following places: Monterey, San Diego, Sacramento, Benicia, Stockton, San Pedro; and the salary of each of the said inspectors shall be one thousand dollars per annum.

Certain collection districts abolished.

Inspectors to be appointed.

Salary.

SEC. 2. *And be it further enacted,* That from and after the first day of July, eighteen hundred and sixty-two, the annual compensation of the collector of the customs for the district of San Francisco shall be six thousand dollars; of the naval officer, four thousand five hundred dollars; of the surveyor, four thousand dollars; of the principal appraisers, twenty-five hundred dollars each; and of the assistant appraisers, two thousand dollars each; and the office of an additional appraiser general to be employed on the Pacific coast, created by the act of Congress entitled "An act making appropriations for the civil and diplomatic expenses of the Government for the year ending the thirtieth of June, eighteen hundred and fifty-four," approved March third, eighteen hundred and fifty-three, be and the same is hereby abolished.

Pay of officers of the customs at San Francisco.

Office of additional appraiser general abolished.

1853, ch. 97.
Vol. x. p. 201.

APPROVED, June 2, 1862.

CHAP. XCIII. — *An Act to prevent and punish Fraud on the Part of Officers intrusted with making of Contracts for the Government.* June 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Secretary of War, of the Secretary of the Navy, and of the Secretary of the Interior, immediately after the passage of this act, to cause and require every contract made by them, severally, on behalf of the Government, or by their officers under them appointed to make such contracts, to be reduced to writing, and signed by the contracting parties with their names at the end thereof, a copy of which shall be filed by the

Post, pp. 577, 600, 696.

Contracts to be signed and copies filed in the Returns office, with bids, proposals, &c.

officer making and signing the said contract in the "Returns Office" of the Department of the Interior (hereinafter established for that purpose) as soon after the contract is made as possible, and within thirty days, together with all bids, offers, and proposals to him made by persons to obtain the same, as also a copy of any advertisement he may have published inviting bids, offers, or proposals for the same; all the said copies and papers in relation to each contract to be attached together by a ribbon and seal, and numbered in regular order numerically, according to the number of papers composing the whole return.

Officer making contract to affix his affidavit.

SEC. 2. *And be it further enacted*, That it shall be the further duty of the said officer, before making his return, according to the first section of this act, to affix to the same his affidavit in the following form, sworn to before some magistrate having authority to administer oaths: "I do solemnly swear (or affirm) that the copy of contract hereto annexed is an exact copy of a contract made by me personally with _____; that I made the same fairly without any benefit or advantage to myself, or allowing any such benefit or advantage corruptly to the said _____, or any other person; and that the papers accompanying include all those relating to the said contract, as required by the statute in such case made and provided." And any officer convicted of falsely and corruptly swearing to such affidavit, shall be subject to all the pains and penalties now by law inflicted for wilful and corrupt perjury.

Penalty for false swearing.

Penalty for not making returns of contracts.

SEC. 3. *And be it further enacted*, That any officer making contracts, as aforesaid, and failing or neglecting to make returns of the same, according to the provisions of this act, unless from unavoidable accident and not within his control, shall be deemed, in every case of such failure or neglect, to be guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, and be imprisoned for not more than six months, at the discretion of the court trying the same.

"Returns office" established.

Clerk, salary, duty.

SEC. 4. *And be it further enacted*, That it shall be the duty of the Secretary of the Interior, immediately after the passage of this act, to provide a fit and proper apartment in his Department, to be called the "Returns Office," within which to file the returns required by this act to be filed, and to appoint a clerk to attend to the same, who shall be entitled to an annual salary of twelve hundred dollars, and whose duty it shall be to file all returns made to said office, so that the same may be of easy access, filing all returns made by the same officer in the same place, and numbering them as they are made in numerical order. He shall also provide and keep an index book, with the names of the contracting parties, and the number of each and every contract opposite to the said names; and he shall submit the said index book and returns to any person desiring to inspect the same; and he shall also furnish copies of said returns to any person paying for said copies to said clerk, at the rate of five cents for every one hundred words, to which said copies certificates shall be appended in every case by the clerk making the same, attesting their correctness, and that each copy so certified is a full and complete copy of said return; which return, so certified under the seal of the Department, shall be evidence in all prosecutions under this act.

Index book to be kept.

Copies of returns to be furnished,

when to be evidence.

Officers authorized to make contracts, to receive printed letter of instructions.

SEC. 5. *And be it further enacted*, That it shall be the duty of the Secretary of War, of the Secretary of the Navy, and of the Secretary of the Interior, immediately after the passage of this act, to furnish each and every officer severally appointed by them with authority to make contracts on behalf of the Government, with a printed letter of instructions, setting forth the duties of such officer under this act, and also to furnish therewith forms, printed in blank, of contracts to be made, and the affidavit of returns required to be affixed thereto, so that all the instruments may be as nearly uniform as possible.

APPROVED, June 2, 1862.

CHAP. XCIV.—*An Act to establish a Land Office in Colorado Territory, and for other Purposes.* June 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all the lands belonging to the United States to which the Indian title has been or shall be extinguished shall be subject to the operations of the preëmption act of the fourth of September, eighteen hundred and forty-one, and under the conditions, restrictions, and stipulations therein mentioned: *Provided, however,* That when unsurveyed lands are claimed by preëmption, notice of the specific tracts claimed shall be filed within six months after the survey has been made in the field; and on failure to file such notice, or to pay for the tract claimed within twelve months from the filing of such notice, the parties claiming such lands shall forfeit all right thereto, provided said notices may be filed with the Surveyor General, and to be noted by him on the township plats, until other arrangements have been made by law for that purpose.

Public lands to which the Indian title has been extinguished to be subject to the preëmption act. 1841, ch. 16. Vol. v. p. 453. Notice, when to be filed. Effect of failure to file notice.

SEC. 2. *And be it further enacted,* That the public lands within the Territory of Colorado to which the Indian title is or shall be extinguished shall constitute a new land district, to be called the Colorado district; and the President is hereby authorized to appoint, by and with the advice and consent of the Senate, a register and receiver of public moneys for said district, who shall be required to reside at the place at which said office shall be located, and they shall have the same powers, perform the same duties, and be entitled to the same compensation as are or may be prescribed by law in relation to land offices of the United States in the State of Kansas.

Colorado district established. Register and receiver. Powers, duties, and salaries.

SEC. 3. *And be it further enacted,* That an act entitled "An act to graduate [and reduce] the price of the public lands to actual settlers and cultivators," be and the same is hereby repealed.

Graduation act repealed. 1854, ch. 244. Vol. x. p. 574.

APPROVED, June 2, 1862.

CHAP. XCV.—*An Act to establish certain Post-Routes, and for other Purposes.* June 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads:

Post routes established.

CALIFORNIA.

California.

- From San Juan to New Idria.
- From San Diego, via Santa Isabel, to Buena Vista.
- From San Diego, via San Luis Rey, San Juan Capistrano, and Anaheim, to the city of Los Angeles.
- From Chico to Humbug Valley.
- From Quincy to Richmond.
- From Cuison, Nevada Territory, to Aurora, California.
- From Lancha Plana, via Poverty Bar, Jenny Lind, Brushville, Salt Spring Valley, Copperopolis, and Jeffersonville, to Sonora.

CONNECTICUT.

Connecticut.

- From New Milford to Washington.

INDIANA.

Indiana.

- From Valparaiso, via Tassinong and Garris Bridge, to Rensselaer.
- From Livonia, via Claysville, to Campbellsburg.
- From Columbus, via Bethany, New Bellsville, and Christiansburg, to Houston.
- From Rensselaer, via Meadville and Brook, to Kent Station.
- From Kendallville, via Rome and Wolcottville, to La Grange Centre.

Indiana.

- From Outlet, Indiana, via West Creek, Sherburnville, and Yellow Head, to Momence, Illinois.
 From Madison, via Middle Fork, Big Creek, Churchill's Mill, and Benville, to Butlerville.
 From Mount Carmel, Indiana, to Harrison, Ohio.
 From New Point, via Rossburg and Saint Maurice, to Clarksburg.
 From Madison, via North Madison, Middle Fork, Big Creek, Churchill's Mills, and Benville, to Butlersville.
 From Annapolis, via Wright's Mills, Sylvania, Harveysburg, and Van Dorn's Mills, to Covington.
 From Paris, via Lancaster, to Dupont.
 From Clinton, via Jones, Indiana, to Logan, Illinois.
 From Cloverdale to Spencer.
 From Wabash, via Milies and Mount Vernon, to Somerset.
 From Bremen, via Hepton and Milltown, to Etna Green.
 From Clark's Hill, via Jefferson, to Frankfort.
 From Attica, via Rob Roy, Coal Creek, Steam Corner, Harrisburg, Wright's Mills, and Sylvania, to Annapolis.
 From Kokomo, via Stanton and Ervin, to Poplar Grove.

Illinois.

ILLINOIS.

- From Catlin to Chilicothe.
 From Yellow Head, Illinois, to Hanover, Indiana.
 From Bloomington to Brook's Grove.
 From Bloomington, via Cheney's Grove, Baxton, and Blue Grass, to Danville.
 From Fredericksville, via Centre, Newberrytown, and Jasper, to Ripley.
 From Bath to Summum.
 From Clifton, via L'Evale and Martinton, to Middleport.
 From Rock City, via Rock Grove, Josephine, and Shueyville, to Monroe.
 From Carrolton to New Bedford.
 From Mound Junction to Mound City.
 From Cambridge, via Lynn, to Centre Ridge.
 From Elmore, via West Jersey, to Jordan.
 From Columbus, via Bethany, to Liberty.
 From Mokina, via Hadley, to Gooding's Green.
 From Belleville, via Millstadt, to Columbia.
 From Smithton, via Floraville, to Waterloo.
 From Marissa to Coulterville.
 From Pinckneyville to Duquoin.
 From Illinoistown, via Coulterville Station, to Millstadt.
 From Floraville to Hecker.
 From Greenville, via Cottonwood Grove, Pleasant Prairie, and Walshville, to Litchfield.
 From Tamana, via Acton and Spring Garden, to Moore's Prairie.
 From Claremont, via Stringtown, Chauncey, and Hardinsville, to Rob-
 inson.
 From Toulon, via Elmira, Osceola, and Neponset, to Sheffield.
 From Salem to McLeansboro.

Iowa.

IOWA.

- From Waterloo, via Buckingham, Crystal, Spring Creek, and Green Mountain, to Marshalltown.
 From Decorah, via Burr Oak Springs and Spillville, to Fort Atkinson.
 From Ida, via Correctionville, to Sioux City.
 From Council Bluffs, via Crescent City, Fairview, Harris Grove, Jeddo City, Twelve-Mile Grove, Olmstead, and Mantano, to Denison.
 From Waukon, via Rossville, Volney, and Council [Hill], to McGregor.

From Fort Dodge, via Leesburg and intermediate county seats, to Sioux City. Iowa.

From Fort Dodge, along the west bank of Des Moines River, via county seat of Palo Alto county, to Spirit Lake.

From Eddyville, via Centreville, Corydon, Lone Mount, Bedford, Clarinda, and Sidney, to Nebraska City.

From McGregor to Garnaville.

From Des Moines City, via Adel, Panora, Guthrie Centre, Bear Grove, Escurce, Buck Creek, Newtown, and Keg Creek, to Council Bluffs.

From Corydon to Osceola.

From the City of McGregor, via Elkader and Volga City, to Strawberry Point.

From Dodgeville, via Morning Sun, Virginia Grove, and Cairo, to Columbus City.

From Independence, via Brandon, to Vinton.

From Clayton to McGregor.

From Atrato, via Stacyville and Wentworth, to Saratoga.

From Charles City, via Rockford, Mason City, Chapin, Goldfield, and Eagle Grove, to Fort Dodge.

From Glenwood, Iowa, to Nebraska City, Nebraska Territory.

From Waverly to Shell Rock.

From Dalmanutha to Guthrie Centre.

From Hook's Point to Webster City.

From Brooklyn to Askalusa.

From Cedar Falls to New Hampton.

From Des Moines to Magnolia.

From Des Moines, Iowa, to Saint Joseph, Missouri.

From Eddyville, Iowa, to Nebraska City, Nebraska Territory.

From Eddyville to Des Moines.

From Waukon, via French Creek, Union City, Winnebago, and Crooked Creek, to Brownsville, Minnesota.

KANSAS.

Kansas.

From Topeka, via Auburn, Burlingame, Superior, Key West, Ottumwa, Burlington, Leroy, Deccha Falls, Geneva, and Iola, to Humboldt.

From Topeka, via Mission Creek, to Council Grove.

From Iowa Point to White Cloud.

From White Cloud, via Hiawatha and Sabetha, to Seneca.

From Lawrence, via Willow Springs, to the Sac and Fox Agency.

From Emporia, via Eagle Creek, Madison Centre, Willow Creek, and Wolf Creek, to Eureka.

From Seneca, via Centralia, Nottingham, Barrett's Mill, and Irving, to Manhattan.

From Junction City, via Gatesville, to Washington, Washington county.

KENTUCKY.

Kentucky.

From Winchester, via Boonsboro' and Foxtown, to Richmond.

From Lancaster to Buckeye.

From Mount Pleasant to Crank's Creek.

From Bryantsville to Harrodsburg.

From Greensburg, via James Whitlock's, on Greasy Creek, to Edmont.

From Lancaster to Crab Orchard.

MARYLAND.

Maryland.

From Saint Nicholas to Broad Creek Neck.

From Queenston, via Wye Mills and Hillsborough, to Denton.

From Beckleysville, via Grave Run Mills, to Hampstead.

Maine.

MAINE.

From Skowhegan to Athens.
 From New Sharon to Farmington.
 From Jonesport, via Addison Point, to Columbia.

Michigan.

MICHIGAN.

From Muskegan, via Mead's and Pent Water, to Manistee.
 From Bebee's Station, via Memphis, Baker's Corners, West Berlin, and Capac, to Merrillville.
 From Mount Clemens, via Waterbury, Macomb, Brookline, and Armada Corners, to Romeo.
 From Avery, on Michigan Central railroad, via Troy, to Laketon.
 From Coopersville, via Lamont, to Eastmanville.
 From Nankin, via Perrinsville and Wallace, to Detroit.
 From Grand Rapids, through the township of Wyoming, Byron, Dorr, and Salem, to Allegan.
 From New Buffalo, via Laketon, to Saint Joseph's.
 From Newaygo, via Fremont, Pewoma, Greenwood, Otto, Hart, and Were, to Pent Water.
 From Hillsdale, via North Adams, Moscow, Baldwin Mills, and Somerset, to Jackson.
 From Sturgis, via Centreville, Mendon, and Brady, to Kalamazoo.
 From Leonidas, via Sherwood, Dry Prairie, Pine Creek, and Leroy, to Battle Creek.
 From Romeo, via Armada, to Bebee's Station.
 From Saint John's, via Keystone, Pompeii, and Ithaca, to Saint Louis.
 From Port Austin, via Pinepog, Pigeon River, and Wild Fowl Bay, to Sibbewaing.
 From Hillsdale, via Cambria, West Woodbridge, Morgansville, West Bridgewater, Lambertson Corners, and West Buffalo, to Bryan.
 From Manistee, via Rush Lake, Portage, Planting Ground, Bar Lake, Herring Creek, Frankport, Point Betsey, North Unity, and Leland, to North Port.
 From Ontonagon, Michigan, via Bayfield, Wisconsin, and La Point, to Superior, Wisconsin, during the opening of navigation.
 From Shawamo, Wisconsin, via Stations one, two, three, and four, to Kewenaw Bay, Michigan.
 From Station four to Marquette.
 From Station four to National, (Minnesota Mine.)

Missouri.

MISSOURI.

From Rochester, via Empire Prairie, Douglass, Island City, Mount Pleasant, and Hugginsville, to Smithton.
 From Smithton, Missouri, to Mount Air, Iowa.
 From Hermann, via Smith's Prairie, Douglass Prairie, and Samuel Smith's, to Rolla.
 From Cameron, via Plattsburg and Liberty, to Kansas City.
 From Leavenworth to Farley.
 From Vienna to Rolla.

Minnesota.

MINNESOTA.

From Garden City, via Gray's, Fairmount, and Tuttle's, to Spirit Lake.
 From Leavenworth, Minnesota, via Lake Shetac and Sioux Falls, to Sioux City, Iowa.
 From Mankato, Minnesota, via Leavenworth, Brown's Crossings, Lake Shettek, and Brula Crossings, to Vermillion, Dakota Territory.
 From La Crescent, via Troy, Chatfield, Frankford, Grand Meadow, Mower City, Lansing, Austin, and Albert Lea, to Winnebago City.

- From Winona, via Minnesota City, Elba, and Quincy, to Rochester. Minnesota.
 From Owatanna, via Wilson, Saint Mary's, and Winnebago Agency, to Mankato.
 From Lake City, via Rochester, High Forest, Root River, Mower City, and Lansing, to Austin.
 From La Crosse, Wisconsin, via Brownsville, Sheldon, Dedham, Preston, Carimona, Forestville, Spring Valley, Grand Meadow, Mower City, Lansing, Frankfort, Austin, Sumner, Albert Lea, Freeburn, Walnut Lake, and Winnebago City, to Shebaville, Minnesota.
 From Torah, via Lake George and Grove Lake, to Alexandria.
 From Detroit, Michigan, to Dunleith, Minnesota, (by steamer.)
 From Cook's Valley, via Watkins Mills and Lathrop's Store, to Rochester.
 From St. Paul, via West St. Paul, Eagartown, Rose Mount, Lakeville, Christiana, Hazlewood, Shieldsville, Kilkenny, Cordova, Cleveland, Kasota, to Mankato.
 From St. Paul, via Fort Snelling, Eden Prairie, and Chaska, to Carver.
 From Watertown, via Winstead, Lake Byron, Lake Jenny, and Greenleaf, to Kandiyohi.
 From Green Lake, via Norway Lake, to Lonburg.

NEW YORK.

New York.

- From Blair, via Farmersville and Lincoln, to Elton.
 From Norwich, via South Plymouth, and North Pharsalia and Pharsalia, to Cincinnati.
 From Middleport, via Jeddo and North Ridgeway, to County Line.
 From Bush, via Centre and Jackson Run, to Warren, Pennsylvania.
 From Bainbridge, via Guilford Centre, and Guilford, to Norwich.
 From Scio to Bolivar.

NEW JERSEY.

New Jersey.

- From Simens Point to English Creek.
 From Wertsville to Kingoes.
 From Mount Holly, via Lumberton, to Medford.

NEW HAMPSHIRE.

New Hampshire

- From Boscawen to Webster.
 From Plaistow, via Hampstead and Danville, to Sandown.
 From Canaan, Vermont, to Connecticut Lake, New Hampshire.

OHIO.

Ohio.

- From Albany to Marshville.
 From Osnaburg, via Mapleton and Robertsville, to Paris.
 From Inland to Greentown.
 From South Woodbury to Ashley.
 From New Madison to Brinley's Station.
 From Bucyrus, via Leitimberville, New Winchester, and Olentangy, to Bucyrus.
 From Winter's Station, via Bettsville and Fort Seneca, to Tiffin.
 From Republic, via Bloomville, South Bloom, Lykens, and Broken Sword, to Bucyrus.
 From Bucyrus, via Oeola, Poplar, and Melmore, to Tiffin.
 From Nevada, via Seal, Belle Vernon, Sycamore, Mexico, McCrutchinsville, Berwick, New Rigue, and Watson's Cross Roads, to Fostoria.
 From Arcadia to Cass.
 From Knight's Station, Michigan, via Riga, to Southeast corner of Richfield Township, Ohio, and thence, via Java, to Swanton Station.
 From Blissfield, Michigan, via Metamora, Ai Post Office, and Java, to Swanton, Ohio.

Ohio

From Clayton, Michigan, via Medina, Canandaigua, and Momence, Michigan, to Chesterfield, Emery, Tedrow, Ottokee, and Wauseon, Ohio.

From Hudson, Michigan, via Mill Creek, Master's Corners, and Domestic, to West Unity, Ohio.

From Archibald, Ohio, via Elmira, Blanc, Gorham Centre, and Handy, Ohio, to Attica and Momence, Michigan.

From West Unity, Ohio, via Domestic, Primrose, Wright, and Woods, Ohio, to Pittsford, Michigan.

From Pioneer, via Deer Lick and West Jefferson or Dubois Corners, to Bryan.

From Pioneer, Ohio, via Amboy and Ransom, to Hillsdale, Michigan.

From West Jefferson, via Montpelier and Bridgeport, Ohio, and Morgansville, Woodbridge, Cambria, Cambria Centre, and Cambria Village, to Hillsdale, Michigan.

From Antwerp, via Hicksville, Milo, and Panama, to Edgerton.

From Edgerton, via Saint Joseph's, Sheline's Mills, and Spring Lake, Ohio, and South Camden, Camden, and Reading Village, to Hillsdale, Michigan.

From Bryan, via Williams Centre, Farmer's Centre, Arrowsmith, and Cicero, to Hicksville.

From Defiance, via Brunersburg, McCally's and Evansport, to Stryker.

From Farmer's Centre, via Ney and Brunersburg, to Defiance.

From Wauseon, via Lena and Ridgeville Corners, to Defiance.

From Florida to Adam's Station.

From Colton, via Beta, Lavonia, and West Barre, to Wauseon.

From Perrysburg, via Lovett's Grove and Bowling Green, to Portage.

From Fostoria, via Brown's Corners, Eagleville, and Woodbury, to Portage.

From Perrysburg, via Stony Ridge, to Woodville.

From Elmore, via Woodville, to Pemberville.

From Gilead to New Westfield.

From Gilead to Providence.

From Delphos, via Ottoville, Hamer, Murat, and Charloe Junction, to Defiance.

From Columbus Grove to Kalida.

From Leipsic Station to Leipsic Village.

From Buckey's, via Gilboa, Oak Ridge, and McComb, to Findlay.

From Defiance, via Ayersville, New Bavaria, Redgland, and Medray, to Leipsic.

From Paulding to Emerald Station.

From Emerald Station, via Cranesville and Motherspaw, to Georgetown.

From Gilead, via Odessa and Shank, to Napoleon.

From Paulding, via Paine's, to McGill's.

From Mount Blanchard, via Houcktown and Elm Grove, to Finley.

From West Jefferson, via West Canaan, to Darby Creek.

From Mount Blanchard to Forrest.

Pennsylvania.

PENNSYLVANIA.

From Carlisle, via Carlisle Springs, Sterret's Gap, Shermansdale, and Warm Springs, to Landisburg.

From New Bloomfield, via Dellville, Grier's Tavern, and Bashinger's Store, to Morleytown.

From Callinsburg, via Loro and Nickleville, to Oil City.

From Ansonville, via McGarvey's and Westover's, to Cherrytree.

From Garland, via Southwest, Enterprise, Pleasantville, Plummer, and Rouseville, to Oil City.

From Williams' Grove, via Grayhampton, to Shivey's.

From Oxford, via Hopewell Cotton Works, Glen Roy, Oak Hill, Goshen, and Wakefield, to Peter's Creek. Pennsylvania.

From Springfield Furnace to Bruce.

From Tioga, via Bailey Creek, Rutland, and Harlansville, to Columbia Cross Roads.

From Schuylkill Haven to Fremont.

From Cowdersport to Shippen.

From Huntington, via Wilsonia, Donation, Croanover's Mills, and Cumminsville, to Ennisville.

From Nicholson Depot, via Niven and Springville, to Auburn Four Corners.

From Columbia to Silver Springs.

From Kittaning to Punxsatawney.

From Ebensburg, via Bethel Station and Strongtown, to Newman's Mills.

From Greensburg, via Pleasant Unity, to Stahlstown.

From Centreville to Annandale.

From Clarington, via Millstone and Raught's Mills, to Arago.

From Economy, via Scottsville, New Sheffield, Seventy-Six, and Green Garden, to Holt.

From Brownsville, via Lake Como, to Tallmansville.

From Fresh Lake Centre to Jackson Valley.

From Tannersville to Mildenerger's.

From Merwinesville to Tannersville.

From Bethlehem, via Schoenersville, Weaversville, and Kreidersville, to Petersville.

From Nazareth, via Moorestown, Klecknerville, Petersville, Newhartsville, Cherryville, and Berlinsville, to Slatington.

From Bethlehem, via Hanoverville, to Klecknerville.

From Lebanon, via Jonestown and Fredericksburg, to Monroe Forge.

From Saltsburg, via Coal Port, Elder's Ridge, Long Run, Shady Plain, Cochran's Mills, and Hilman's, to Kittaning.

From Lancaster to Quarryville.

From Newry, via Blue Knob and Switzer, to Saint Clairsville.

From Reynolds to Rochdale.

From Callensburg to Emlenton.

From Washington to Rice's Landing.

VERMONT.

Vermont.

From West Randolph, via Randolph and East Randolph, to Chelsea.

From Whiting to Shoreham.

WISCONSIN.

Wisconsin.

From Munche's Post Office, via Munroe's Corner, in the town of Erie, to the village of Hartford.

From the village of Barton, Washington county, to Billman's Corners, in the town of Wayne.

From Sturgeon Bay, via Egg Harbor and Fish Creek, to Ephraim, in Dorr county.

From Avoca, Iowa county, via the villages of Highland and Linden, to the city of Mineral Point.

From Barton to Eckel's Corners, in the town of Addison, in the county of Washington.

From Watertown, via Ixenia, Concord, and Farmington, to Johnson's Creek, in Jefferson county.

From Appleton, via Centre, to Shaw-wa-no.

From Mill Haven, via Forbes Valley, Dorsett, Wilton, Wellington, and Moore's Creek, to Sparta.

Colorado.

COLORADO.

- From Denver, via Colorado City and Conejos, to Sante Fe.
- From Pueblo, via Huerfan, to Trinidad.
- From Fort Wise, via Bent's Old Fort, Pueblo, and Cañon City, to Laurette.
- From Colorado City to Cañon City.
- From Colorado City to Laurette.
- From Denver, via Jefferson and Hamilton, to Laurette.
- From Laurette, via Oro City, to Washington Gulch.
- From Oro City to Coach Creek.
- From Hamilton, via Breckenridge, to Lincoln City.
- From Jefferson, via Parkville, to Delaware City.
- From Denver, via Idaho and Empire City, to Salt Lake City.
- From Denver, via Golden City, to Central City.
- From Central City to Silver City.
- From Central City, via Gold Dirt and Gold Hill, to Boulder.
- From Denver to Boulder.
- From Denver, via Fort St. Vrain, to Laporte.
- From Fort St. Vrain to Junction Ranch, (mouth of Beaver Creek.)
- From Denver to Russellville.
- From Conejos to Animas City.
- From Laurette, via Montgomery City, to Breckenridge.
- From Central City to Idaho.

Dacotah.

DACOTAH.

- From Sioux City, Iowa, via Willow Point, Elk Point, Vermillion, Yankton, Bon-Homme, Skinner's, Choteau Creek, and Greenwood, to Fort Randall, Dakota Territory.
- From Dakota, Nebraska Territory, via St. John's, Poncah, Dixon, St. James, Helena, Frankfort, Niobrara, and Poncah Agency, to Fort Randall.
- From Fort Randall to Platte Creek.
- From Yankton to Sioux Falls City.
- From Sioux Falls City, via Shetek City and New Brunswick, to New Ulm, Minnesota.
- From Vermillion, Dakota Territory, via Iowa, to Poncah, Nebraska Territory.
- From Bon-Homme, via Springfield, Dacotah Territory, to Niobrara, Nebraska Territory.
- From Elk Point to Bruli Creek, Dakota Territory.

Nebraska.

NEBRASKA.

- From Marshalltown, via Nevada, Boonsborough, Jefferson, Canalton, Denison, and Onawayin, Iowa, to Decatur, Nebraska.
- From Plattsmouth to Fort Kearney, on south side of Platte river.
- From Dakota City, via Poncah, St. James, St. John's, Franklin, Niobrara, and other intermediate offices, to Fort Randall, Dakota.
- From Brownsville, via Nemaha City, Monterey, Scott's, Rodenberg's, and Middleburg, to Sabetha, in Kansas.
- From Falls City, via Geneva, Rodenberg's, Scott's, and Long Branch, to Monterey.
- From White Cloud, via Falls City and Table Rock, to Beatrice.
- From Falls City, via Middleburg and Athens, to Pawnee City.
- From Falls City, via Salem and Pawnee City, to Otos Agency, (Denison.)
- From Arago, via Falls City, to White Cloud, Kansas.
- From Peru, via Brownsville, Nemaha City, and Falls City, to Atchison.

From Brownsville, via Falls City, to Highland, Kansas.
 From Falls City to Hiawatha, Brown county, Kansas.
 From Brownsville, via Monterey and Franklin, Long Branch Post Office, to Table Rock.
 From Nebraska City, via St. Frederick and McClure's, to Table Rock.
 From Plattsmouth, via Glendale, Fountain Station, Salt Creek, Lake Station, Burnhill's, McCabe Station, McFarland's, O'Donnell's, Brackett's, Big Martin's, Bissell, Mabine, and Junction City, to Fort Kearney.

NEW MEXICO.

New Mexico

From Taos to Cimmaron.
 From Abiqui to Garland.

NEVADA.

Nevada.

From Carson City to Virginia City.
 From Carson City to Aurora.
 From Dayton to Humboldt.

UTAH.

Utah.

From Springville, via Fairview and Mount Pleasant, to Springtown.
 From Toquerville, via Pocketville and Grafton, to Adventure.
 From Virgin City, via Grafton, to Rockville.
 From Denver City, Colorado Territory, to Provo, Utah Territory.

WASHINGTON.

Washington.

From Walla-Walla to Pierce City and Orifino, via Lewiston.
 From Seattle to Snohomish.
 From Walla-Walla, via Lewiston and Pierce City, to Elk City.
 From Walla-Walla via Antoine Plantes and the Cœur d'Alene Mission, to Hell Gate.

From Lewiston to Florence City.

SEC. 2. *And be it further enacted*, That the Postmaster General is hereby authorized to change the terminus of existing mail routes connecting with or intersecting railroads when the postal service can be thereby improved. Termini of existing mail routes may be changed when, &c.

SEC. 3. *And be it further enacted*, That the Postmaster General be and he is hereby authorized to fix the salaries of special agents of the Post Office Department, employed on temporary service, at any sum less than the amount designated for such service by law. Salaries of special agents.

APPROVED, June 2, 1862.

CHAP. XCVI. — *An Act to authorize the President of the United States to appoint Diplomatic Representatives to the Republics of Hayti and Liberia, respectively.* June 5, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is authorized, by and with the advice and consent of the Senate, to appoint diplomatic representatives of the United States to the Republics of Hayti and Liberia, respectively. Each of the said representatives so appointed shall be accredited as commissioner and consul-general, and shall receive the compensation of commissioners according to the act of Congress approved August eighteen, eighteen hundred and fifty-six: *Provided*, That the annual compensation of the representative at Liberia shall not exceed four thousand dollars. Diplomatic representatives to Hayti and Liberia.
Rank and pay. 1856, ch. 127. Vol. xi. p. 52. Post, p. 534.

APPROVED, June 5, 1862.

June 5, 1862.

1852, ch. 45.
Vol. x. p. 8.

Time for completion of road extended for ten years.

If not completed within that time, lands to revert.

CHAP. XCVII. — *An Act supplemental to "An Act granting the Right of Way to the State of Missouri, and a Portion of the Public Lands to aid in the Construction of certain Railroads in said State," approved June tenth, eighteen hundred and fifty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time required by the act to which this is supplemental, for the completion of the road therein described, "from the city of Saint Louis to such point on the western boundary of said State as may be designated by the authority of said State," as well as the time of reversion to the United States of the lands thereby granted to the State of Missouri for the use of said road, is hereby extended for ten years from the tenth day of June, eighteen hundred and sixty-two: *Provided,* That in case said company fail to complete said road within the time as thus extended, the said lands shall then revert to the United States.

APPROVED, June 5, 1862.

June 7, 1862.

CHAP. XCVIII. — *An Act for the Collection of direct Taxes in Insurrectionary Districts within the United States, and for other Purposes.*

Direct taxes, when not peaceably collectable in any State, because of the insurrection, how to be apportioned and charged.

1861, ch. 45.
Ante, p. 292.

Lands charged with the tax.

Penalty in addition.

President to proclaim in what States insurrection exists.

Tax and penalty a lien.

Owner within, &c., may pay tax, and discharge land from lien.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when in any State or Territory, or in any portion of any State or Territory, by reason of insurrection or rebellion, the civil authority of the Government of the United States is obstructed so that the provisions of the act entitled "An Act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one, for assessing, levying, and collecting the direct taxes therein mentioned, cannot be peaceably executed, the said direct taxes, by said act apportioned among the several States and Territories, respectively, shall be apportioned and charged in each State and Territory, or part thereof, wherein the civil authority is thus obstructed, upon all the lands and lots of ground situate therein, respectively, except such as are exempt from taxation by the laws of said State or of the United States, as the said lands or lots of ground were enumerated and valued under the last assessment and valuation thereof made under the authority of said State or Territory previous to the first day of January, anno Domini eighteen hundred and sixty-one; and each and every parcel of the said lands, according to said valuation, is hereby declared to be, by virtue of this act, charged with the payment of so much of the whole tax laid and apportioned by said act upon the State or Territory wherein the same is respectively situate, as shall bear the same direct proportion to the whole amount of the direct tax apportioned to said State or Territory as the value of said parcels of land shall respectively bear to the whole valuation of the real estate in said State or Territory according to the said assessment and valuation made under the authority of the same; and in addition thereto a penalty of fifty per centum of said tax shall be charged thereon.

SEC. 2. *And be it further enacted,* That on or before the first day of July next, the President, by his proclamation, shall declare in what States and parts of States said insurrection exists, and thereupon the said several lots or parcels of land shall become charged respectively with their respective portions of said direct tax, and the same together with the penalty shall be a lien thereon, without any other or further proceeding whatever.

SEC. 3. *And be it further enacted,* That it shall be lawful for the owner or owners of said lots or parcels of lands, within sixty days after the tax commissioners herein named shall have fixed the amount, to pay the tax thus charged upon the same, respectively, into the treasury of the United States, or to the commissioners herein appointed, and take a certificate

thereof, by virtue whereof the said lands shall be discharged from said tax.

SEC. 4. *And be it further enacted*, That the title of, in, and to each and every piece or parcel of land upon which said tax has not been paid as above provided, shall thereupon become forfeited to the United States, and, upon the sale hereinafter provided for, shall vest in the United States or in the purchasers at such sale, in fee simple, free and discharged from all prior liens, incumbrances, right, title, and claim whatsoever.

Title to lands on which tax is not paid, to be in the United States

SEC. 5. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, may appoint a board of three tax commissioners for each of said States in which such insurrection exists, with a salary of three thousand dollars each per annum, to give security in the sum of fifty thousand dollars each, in such form as the Secretary of the Treasury shall direct, and to be approved by him, for the faithful performance of all their duties as such, and to account for and pay over all moneys and other property coming to their hands: *Provided*, That said commissioners shall not receive pay under the provisions of this act until they shall have entered upon the discharge of their duties.

Tax commissioners for each State.

Number, pay security.

SEC. 6. *And be it further enacted*, That the said board of tax commissioners shall enter upon the discharge of the duties of their office whenever the Commanding General of the forces of the United States, entering into any such insurrectionary State or district, shall have established the military authority of the United States throughout any parish or district or county of the same, and they shall open one or more offices for the transaction of business.

When to enter upon their duties.

SEC. 7. *And be it further enacted*, That the said board of commissioners shall be required, in case the taxes charged upon the said lots and parcels of land shall not be paid as provided for in the third section of this act, to cause the same to be advertised for sale in a newspaper published in the town, parish, district, or county where situate, and if there be no such newspaper published in said county, or if the publisher thereof refuse to publish the same, then in any other newspaper to be selected by said commissioners in said district, or in the city of Washington, for at least four weeks, and by posting notices of said sale in three public places in the town, parish, district, or county within which said lands are situate, at least four weeks previous to the day of sale; and at the time and place of sale to cause the same to be severally sold to the highest bidder for a sum not less than the taxes, penalty, and costs, and ten per centum per annum interest on said tax pursuant to said notice; and the said commissioners shall, at said sale, strike off the same severally to the United States at that sum, unless some person shall bid the same or a larger sum; who shall, upon paying the purchase money in gold and silver coin, or in the Treasury notes of the United States, or in certificates of indebtedness against the United States, be entitled to receive from said commissioners their certificate of sale; which said certificate shall be received in all courts and places as prima facie evidence of the regularity and validity of said sale, and of the title of the said purchaser or purchasers under the same: *Provided*, That the owner of said lots of ground, or any loyal person of the United States, having any valid lien upon or interest in the same, may, at any time, within sixty days after said sale, appear before the said board of tax commissioners in his or her own proper person, and, if a citizen, upon taking an oath to support the Constitution of the United States, and paying the amount of said tax and penalty, with interest thereon from the date of the said proclamation of the President mentioned in the second section of this act, at the rate of fifteen per centum per annum, together with the expenses of the sale and subsequent proceedings to be determined by said commissioners, may redeem said

Tax commissioners to advertise for sale lands on which taxes are unpaid,

[Amended, 1863, ch. 21. *Post*, p. 640.]

to sell the same to highest bidder,

or to bid in for the United States.

Payment may be made in what.

Certificate of sale, effect of.

Owner, or loyal person may redeem, &c.

Proceedings for redemption.

lots of land from said sale; and any purchaser, under the same, having paid moneys, Treasury notes, or other certificates of indebtedness of the United States, shall, upon such redemption being made, be entitled to have the same, with the interest accruing after said sale, returned to him by the said commissioners, upon surrendering up the certificates of sale: *And provided, further*, That if the owner of said lots of ground shall be a minor, a non-resident alien, or loyal citizen beyond seas, a person of unsound mind, or under a legal disability, the guardian, trustee, or other person having charge of the person or estate of such person may redeem the same at any time within two years after the sale thereof, in the manner above provided, and with like effect: *And provided, further*, That the certificate of said commissioners shall only be affected as evidence of the regularity and validity of sale by establishing the fact that said property was not subject to taxes, or that the taxes had been paid previous to sale, or that the property had been redeemed according to the provisions of this act.

Redemption when owner is a minor, or under disability.

Certificate of commissioners, how alone impeached.

Further time for redemption granted in certain cases.

Either party may appeal.

Jurisdiction of Federal district courts.

When commissioners may lease lands taken for taxes.

Duration, &c., of lease.

Conditions of lease, and terms of occupancy.

SEC. 8. *And be it further enacted*, That at any time within one year after the said sale by said commissioners, any person being the owner of any lot or parcel of ground at the passage of this act, who shall, by sufficient evidence, prove to the satisfaction of said board of commissioners that he or she, after the passage of this act, has not taken part in the present insurrection against the United States, or in any manner aided or abetted the same; and that, by reason of said insurrection, he or she has been unable to pay said tax, or to redeem said lands from sale within the time above provided for, the said board of commissioners may allow him or her further time to redeem the same, not exceeding two years from the day of sale; and for this purpose they may take the testimony of witnesses, and shall reduce the same to writing; and the United States, or any person claiming an interest in said lands, may appear and oppose the said application. From their decision the United States or any party in interest may appeal to the district court of the United States for said district, which is hereby authorized to take jurisdiction of the same, as in other cases involving the equity of redemption. And in case said board of commissioners should, for any cause, cease to act before the expiration of one year after said sales, the said district court shall have original jurisdiction of the proceeding for redemption, as herein provided, to take place before the said board of commissioners.

SEC. 9. *And be it further enacted*, That in cases where the owners of said lots and parcels of ground have abandoned the same, and have not paid the tax thereon as provided for in the third section of this act, nor paid the same, nor redeemed the said land from sale as provided for in the seventh section of this act, and the said board of commissioners shall be satisfied that said owners have left the same to join the rebel forces or otherwise to engage in and abet this rebellion, and the same shall have been struck off to the United States at said sale, the said commissioners shall, in the name of the United States, enter upon and take possession of the same, and may lease the same, together or in parcels, to any person or persons who are citizens of the United States, or may have declared on oath their intention to become such, until the said rebellion and insurrection in said State shall be put down, and the civil authority of the United States established, and until the people of said State shall elect a Legislature and State officers, who shall take an oath to support the Constitution of the United States, to be announced by the proclamation of the President, and until the first day of March next thereafter, said leases to be in such form and with such security as shall, in the judgment of said commissioners, produce to the United States the greatest revenue.

SEC. 10. *And be it further enacted*, That the said commissioners shall from time to time make such temporary rules and regulations, and insert

such clauses in said leases as shall be just and proper to secure proper and reasonable employment and support, at wages or upon shares of the crop, of such persons and families as may be residing upon the said parcels or lots of land, which said rules and regulations are declared to be subject to the approval of the President.

SEC. 11. *And be it further enacted*, That the said board of commissioners, under the direction of the President, may be authorized, instead of leasing the said lands vested in the United States, as above provided, to cause the same, or any portion thereof, to be subdivided and sold in parcels not to exceed three hundred and twenty acres to any one purchaser, at public sale, after giving due notice thereof, as upon the sale of other public lands of the United States, for sixty days, and to issue a certificate therefor; and that, at any such sale, any loyal citizen of the United States, or any person who shall have declared on oath his intention to become such, or any person who shall have faithfully served as an officer, musician, or private soldier or sailor in the army or navy or marine service of the United States, as a regular or volunteer, for the term of three months, may become the purchaser; and if upon such sale any person serving in the army or navy or marine corps shall pay one-fourth part of the purchase money, a certificate shall be given him, and he shall have the term of three years in which to pay the remainder, either in money or in certificates of indebtedness from the United States; and any citizen of the United States, or any person who shall have declared his intention to become such, being the head of a family, and residing in the State or district where said lands are situate, and not the owner of any other lands, may, under such rules as may be established by said board of commissioners, have the right to enter upon and acquire the rights of preëmption in such lands as may be unimproved and vested in the United States, and as may be selected by said board of commissioners, under the direction of the President, from time to time, for such purpose.

Commissioners may sell instead of leasing.

Who may be purchaser.

Terms of payment.

Right of pre-emption.

SEC. 12. *And be it further enacted*, That the proceeds of said leases and sales shall be paid into the Treasury of the United States, one fourth of which shall be paid over to the Governor of said State wherein said lands are situated, or his authorized agent, when such insurrection shall be put down, and the people shall elect a Legislature and State officers who shall take an oath to support the Constitution of the United States, and such fact shall be proclaimed by the President for the purpose of reimbursing the loyal citizens of said State, or such other purpose as said State may direct; and one fourth shall also be paid over to said State as a fund to aid in the colonization or emigration from said State of any free person of African descent who may desire to remove therefrom to Hayti, Liberia, or any other tropical state or colony.

Proceeds of sales and leases, how to be disposed of.

Reimbursement of loyal citizens.

Emigration to Hayti, Liberia, &c.

SEC. 13. *And be it further enacted*, That in case the records of assessments and valuation of the lots of land mentioned in the first section of this act shall be destroyed, concealed, or lost, so as not to come within the possession of the said boards of commissioners, they shall be authorized to take evidence of the same, or to value and assess the same in their own judgment upon such evidence as may appear before them; and no mistake in the valuation of the same, or in the amount of tax thereon, shall, in any manner whatever, affect the validity of the sale of the same or of any of the proceedings preliminary thereto.

Proceedings when records of assessments and valuation are concealed or lost.

SEC. 14. *And be it further enacted*, That the said tax commissioners shall keep a book or books, in which they shall enter or cause to be entered the amount or quota of said direct tax assessed on each tract or parcel of land; which said amounts shall be distinctly stated in the advertisement, or notice of sale, together with a description of the tract to be sold, and an entry shall be made in said book, or books, of each tract sold, together with the name of the purchaser, and the sum for which the same may have been sold. A transcript or transcripts of said book or books,

Commissioners to keep tax-books.

Statements of advertisements.

Transcripts of books to be filed.

duly verified by said commissioners, and said books when said commission shall expire, shall be filed in the office of the Secretary of the Treasury of the United States, and said books and transcripts, and copies of said books and transcripts duly certified by the Secretary of the Treasury, shall be evidence in any court in the United States. The said commissioners may employ a clerk, whose compensation shall be twelve hundred dollars per annum.

Copies of books and transcripts to be evidence. Clerk to commissioners.

Construction of act 1861, ch. 45, § 13. Ante, p. 297. Exemption from taxation.

SEC. 15. *And be it further enacted*, That the thirteenth section of the act of August fifth, eighteen hundred and sixty-one, entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," shall be so construed as not to exempt from taxation property above the value of five hundred dollars, but to exempt from taxation property of the value of five hundred dollars, or less, owned by individuals, notwithstanding the provisions of said act.

SEC. 16. *And be it further enacted*, That this act shall take effect from and after its passage.

APPROVED, June 7, 1862.

June 10, 1862. CHAP. XCIX. — *An Act to incorporate the Mount Olivet Cemetery Company, in the District of Columbia.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Edward A. Knight, Charles J. White, and Charles D. Bowling, and their successors, be and they are hereby created a body politic and corporate by the name and title of "the Mount Olivet Cemetery Company," and by that name may have perpetual succession, may sue and be sued in the courts of law and equity, and other competent tribunals, may have and use a common seal, and the same may destroy, alter, and renew at pleasure, may associate with them such other persons in said company to any number not exceeding nine, may fill all vacancies which may occur in their own body, and may from time to time ordain such by-laws, not inconsistent with the laws in force in the District of Columbia, as they may deem necessary or proper for said company.

Mount Olivet Cemetery Company incorporated.

Powers of corporation.

Corporation may hold real and personal estate.

Limitation.

Burial lots may be sold, &c.

Title to lots.

Record.

Lots not subject to debts or taxes.

Managers of corporation.

SEC. 2. *And be it further enacted*, That said corporation may acquire, hold, and dispose of such estate, real, personal, and mixed, as may be necessary or proper for the purposes of said corporation: *Provided*, The said corporation shall not own at any one time more than one hundred acres of land in the county of Washington, and without the limits of the city of Washington: *And provided further*, That at least thirty acres in one body be set apart and used for the purposes of a cemetery.

SEC. 3. *And be it further enacted*, That burial lots in said cemetery may be sold, leased, or otherwise disposed of by said corporation to the lot-holders, upon such conditions and subject to such regulations as said corporation or the board of managers may prescribe, and a certificate under the seal of said corporation, of the ownership or other interest in any lot aforesaid, shall in all respects have the same effect as any conveyance from said corporation of said lot would have, if executed, acknowledged, and recorded as conveyances of real estate are required by law to be; which certificate shall be entered in a book kept by said corporation for that purpose, the same to be open to the inspection of all persons interested; and burial lots in said cemetery shall not be subject to the debts of the lot-holders thereof, and the land of the said corporation dedicated to the purposes of a cemetery shall not be subject to taxation of any kind.

SEC. 4. *And be it further enacted*, That the affairs of said corporation may be conducted by such board of managers as the said corporation may ordain, to be composed of the corporators, or any selected number thereof, and such other persons as the said corporation may elect.

SEC. 5. *And be it further enacted*, That no streets, lanes, alleys, roads,

or canals, of any sort, shall be opened through the property of said corporation exclusively appropriated and used for the purposes of a cemetery: *Provided*, That nothing herein contained shall be so construed as to authorize said corporation to obstruct any public road, or street, or lane, or alley now actually opened and used as such.

Streets, &c., not to be opened through cemetery.

SEC. 6. *And be it further enacted*, That any person who shall wilfully destroy, mutilate or deface, injure or remove any tomb, monument, gravestone, or other structure or work placed in said cemetery, or any fence, railing, or work for protection or ornament of said cemetery, or any tomb, monument, gravestone, or other structure or work thereon, or shall wilfully destroy, cut, break, or remove any tree, shrub, or plant, within the limits of said cemetery, shall be considered guilty of a misdemeanor, and, on conviction thereof before any magistrate or justice of the peace, shall be punished by fine, at the discretion of the justice, according to the aggravation of the offence, of not less than five nor more than fifty dollars.

Penalty for defacing or destroying gravestones, monuments, fences, shrubs, &c.

SEC. 7. *And be it further enacted*, That the said corporation shall provide for the return, from time to time, to the Corporation of Washington, of reports of all interments made in said cemetery, of persons who may have died within the limits of the city of Washington, in such manner as may be prescribed from time to time by said Corporation of Washington.

Reports of interments to be made.

SEC. 8. *And be it further enacted*, That nothing in this act shall be so construed as to authorize said corporation to issue any note, token, device, scrip, or other evidence of debt, to be used as a currency; and each of the corporators in said corporation shall be held liable, in his individual capacity, for all the debts and liabilities of said corporation, however contracted or incurred, to be recovered by suit as other debts or liabilities before the court or tribunal having jurisdiction of the case.

Corporation not to issue notes as currency.

Corporators individually liable.

SEC. 9. *And be it further enacted*, That it shall be lawful for Congress, at any time hereafter, to alter, amend, or repeal the foregoing act.

Act may be altered or repealed.

APPROVED, June 10, 1862.

CHAP. CL.—*An Act to protect the Property of Indians who have adopted the Habits of civilized Life.*

June 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any Indian, being a member of any band or tribe with whom the Government has or shall have entered into treaty stipulations, being desirous to adopt the habits of civilized life, shall have had a portion of the lands belonging to his tribe allotted to him in severalty, in pursuance of such treaty stipulations, it shall be the duty of the agent and superintendent of such tribe to provide that such Indian shall be protected in the peaceful and quiet occupation and enjoyment of the lands so allotted to him.

Certain Indians to be protected in their allotments of land.

SEC. 2. *And be it further enacted*, That whenever any person of Indian blood belonging to a band or tribe who receive, or are entitled to receive, annuities from the Government of the United States, and who has not adopted the habits and customs of civilized life, and received his lands in severalty by allotment, as mentioned in the foregoing section of this act, shall commit any trespass upon the lands or premises of any Indian who has received his lands by allotment, as aforesaid, it shall be the duty of the superintendent and agent of such band or tribe to ascertain the damages resulting from such trespass; and the sum so ascertained shall be withheld from the payment next thereafter to be made, either to the band or tribe to which the party committing such trespass shall belong, as in the discretion of the superintendent he shall deem proper, and the sum so retained shall be paid over by the said agent or superintendent to the party injured, with the approval of the Secretary of the Interior.

Damage for trespass thereon, to be assessed on the band or tribe of the trespasser, if, &c.

Amount to be withheld, &c.,

and paid to person injured

SEC. 3. *And be it further enacted*, That in case the trespasser shall be

If trespasser is the chief or headman of a band or tribe, in addition to the penalties above a chief, he may be suspended, in addition. provided for, it shall be the duty of the superintendent of Indian affairs in his district to suspend the said trespasser from his office for three months, and during that time to deprive him of all the benefits and emoluments connected therewith: *Provided*, That the said chief or headman may be sooner restored to his former standing if the superintendent shall so direct.

APPROVED, June 14, 1862.

June 16, 1862.

CHAP. CII. — *An Act providing for the Selection of Jurors to serve in the several Courts in the District of Columbia.*

List of persons best qualified to serve as jurors to be made,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That it shall be the duty of the Register of Washington city, and of the respective clerks of the city of Georgetown and the Levy Court of Washington county, in the District of Columbia, within one month after the passage of this act, and on or before the first day of February in each year thereafter, to make a list of such of the white male citizens, tax-payers, residing within their respective jurisdictions, as they shall judge best qualified to serve as jurors in the courts of the said District, in which lists may be included, in the discretion of the officer making the same, the names of such qualified persons as were on the list of the previous year but did not serve as jurors, and the lists thus made by the register and clerks aforesaid shall be kept by them, respectively, and be delivered over to their successors in office.

where to be kept.

Names to be selected from the list.

SEC. 2. *And be it further enacted*, That the officers aforesaid shall select from the list of the register of Washington city the names of four hundred persons, from that of the clerk of Georgetown eighty persons, and from that of the clerk of the levy court forty persons, which proportion, after the year eighteen hundred and sixty-three, may be varied from year to year according to the increase or decrease of population in the respective jurisdictions, by order of the judges of the circuit court of Washington county.

Who shall be exempt from jury duty.

SEC. 3. *And be it further enacted*, That the Mayors of the cities of Washington and Georgetown, all judicial officers, salaried officers of the Government of the United States, commissioners of police, and those connected with the police or fire department, counsellors and attorneys at law, ministers of the gospel and priests of every denomination, practising physicians and surgeons, keepers of hospitals, asylums, almshouses, or other charitable institutions created by or under the laws relating to the District of Columbia, captains and masters and other persons employed on vessels navigating the waters of said District, and keepers of public ferries, shall be exempt from jury duty, and their names shall not be placed in the list aforesaid.

Their names not to be placed on the list.

Names, how placed in jury box.

SEC. 4. *And be it further enacted*, That the names selected from said lists shall be written on separate and similar pieces of paper, which shall be so folded or rolled up that the names cannot be seen, and placed in a box, to be provided by the register and clerks aforesaid, which box shall be sealed, and after being thoroughly shaken, shall be delivered to the clerk of the circuit court of Washington county for safe-keeping.

Box to be sealed and where kept.

Drawing of grand and petit jurors.

SEC. 5. *And be it further enacted*, That the said register and clerks, and the clerk of the circuit court, shall, at least ten days before the commencement of each term of the circuit or of the criminal court, meet at the City Hall in Washington city, and then and there the clerk of the circuit court shall publicly break the seal of said box and proceed to draw therefrom the names of so many persons as are required; and if the jury about to be drawn is intended for service in the criminal court, the twenty-three persons whose names shall be first drawn shall constitute the grand jury; and the twenty-six persons whose names shall next be drawn shall

Criminal court.

constitute the petit jury for that term; but in a capital case where the said panel shall have been exhausted by reason of challenge or otherwise, the court before whom such capital case is pending may, in its discretion, order additional names to be drawn; and if all of the names in the box shall have been drawn out and no jury found, the court may order the marshal to summon talesmen until a jury shall be found. And if a jury be required for the circuit court, the twenty-six persons whose names shall first be drawn shall constitute the jury for that term, and the names of the persons drawn as aforesaid shall not be again placed in such box for the period of two years. If any person whose name is so drawn shall have died or removed from the District, or has become otherwise disabled from serving as a juror, the said register and clerks shall draw from the box another name, who shall serve instead; and after the requisite number of jurors shall have been so drawn, the said box shall be again sealed and delivered to the clerk of the circuit court as aforesaid.

Drawing of jurors in capital cases.

Talesmen.
Circuit court.

SEC. 6. *And be it further enacted,* That it shall be the duty of the marshal of the District of Columbia, at least five days before the meeting of the court for which a jury is required, to notify each person drawn, by serving on him a notice in writing of his selection as a juror of the court he is to attend, and of the day and hour he is to appear; which notice shall be given to each juror in person, or be left at his usual place of residence; a copy of which notice, with his certificate stating when and in what manner the original was served, shall be returned by the said marshal to the court before the commencement of the term for which the said jurors were drawn.

Those drawn as jurors, how notified.

Service of notice.

Officer's return.

SEC. 7. *And be it further enacted,* That in case either of the officers whose duty it is make out the lists aforesaid shall neglect or refuse to act, or in case either of them shall be interested in any action or proceeding pending in the said circuit or criminal court, the chief judge of the circuit court shall appoint a fit and proper person to discharge the duty instead; and if the persons selected as jurors do not attend, the court may order the marshal to summon other respectable tax-payers, possessing the other legal qualifications, to supply the deficiency. And if at any time there should not be, by reason of challenge or otherwise, a sufficient number of jurors to make up the panel, the court shall order the marshal to summon as many talesmen as are necessary for that purpose.

Proceedings if officers neglect, &c. to make lists,

if jurors do not attend,

if the panel is incomplete.

SEC. 8. *And be it further enacted,* That no person shall be competent to act as a juror unless he be a citizen of the United States, a resident of the District of Columbia, over twenty-one and under sixty-five years of age, a good and lawful man, who has never been convicted of a felony or misdemeanor involving moral turpitude. And a person may be excused by the court from serving on a jury when, for any reason, his interests or those of the public will be materially injured by his attendance, or when he is a party in any action or proceeding to be tried or determined by the intervention of a jury at the term for which he may be summoned, or where his own health or the death or sickness of a member of his family requires his absence.

Qualifications of jurors.

Excuses from serving as jurors.

SEC. 9. *And be it further enacted,* That if any officer named in the first section of this act shall put on the list he is required to make, the name of any person at his own request, or on the request of any other person, or shall be guilty of any fraud or collusion with respect to the drawing of jurors, he shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than one hundred dollars, and imprisoned in the county jail not less than sixty days, for each and every offence. And if the clerk of the circuit court shall draw from the box a greater number of names than is required by the court, in accordance with the provisions of this act, or shall put in said box any name after the same has been delivered to him as aforesaid, or shall be guilty of any fraud or collusion in

Penalty for putting certain persons on list, or for fraud, &c. in drawing,

for drawing too large a number.

for wrongfully putting name in box.

Penalty for any fraud or collusion in drawing jurors.

respect to the drawing of jurors, he shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than one hundred dollars, and be imprisoned in the county jail not less than sixty days, for each and every offence.

Persons notified to serve as jurors neglecting to attend, to be fined.

SEC. 10. *And be it further enacted*, That if any person selected as a juror and duly notified to attend according to the requirements of this act, shall, without sufficient cause, neglect to attend agreeably to such notice, he shall be fined by the court in a sum not exceeding twenty dollars for every day he shall be absent during the sitting of said court.

Names on lists to be taken in due proportions from several wards, &c.

SEC. 11. *And be it further enacted*, That the names on the lists specified in the second section of this act shall be selected, as near as may be, from among the citizens of the several wards of the cities of Washington and Georgetown, and the three divisions of the county of Washington outside the limits of said cities formed by the Eastern branch of the Potomac River and Rock Creek, in proportion to the number of taxable inhabitants residing in said wards and districts, respectively.

APPROVED, June 16, 1862.

June 17, 1862.

CHAP. CIII.—*An Act defining additional Causes of Challenge and prescribing an additional Oath for Grand and Petit Jurors in the United States Courts.*

Additional causes of challenge of grand and petit jurors in the United States courts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the existing causes of disqualification and challenge of grand and petit jurors in the courts of the United States, the following are hereby declared and established, namely; without duress and coercion to have taken up arms, or to have joined any insurrection and rebellion, against the United States; to have adhered to any rebellion, giving it aid and comfort; to have given, directly or indirectly, any assistance in money, arms, horses, clothes, or any thing whatever, to or for the use or benefit of any person or persons whom the person giving such assistance knew to have joined, or to be about to join, any insurrection or rebellion, or to have resisted, or to be about to resist with force of arms, the execution of the laws of the United States, or whom he had good ground to believe had joined, or was about to join, any insurrection or rebellion, or had resisted, or was about to resist, with force of arms, the execution of the laws of the United States, and to have counselled and advised any person or persons to join any insurrection and rebellion, or to resist with force of arms the laws of the United States.

Additional oath for grand and petit jurors.

SEC. 2. *And be it further enacted*, That at each and every term of any court of the United States, the district attorney, or other person acting for and on behalf of the United States in said court, may move, and the court in their discretion may require the clerk to tender to each and every person who may be summoned to serve as a grand or petit juror or venireman or talesman in said court, the following oath or affirmation, viz: "You do solemnly swear (or affirm, as the case may be) that you will support the Constitution of the United States of America; that you have not, without duress and constraint, taken up arms, or joined any insurrection or rebellion against the United States; that you have not adhered to any insurrection or rebellion, giving it aid and comfort; that you have not, directly or indirectly, given any assistance in money, or any other thing, to any person or persons whom you knew, or had good ground to believe, had joined, or was about to join, said insurrection and rebellion, or had resisted, or was about to resist, with force of arms, the execution of the laws of the United States; and that you have not counselled or advised any person or persons to join any rebellion against, or to resist with force of arms, the laws of the United States." Any person or persons declining to take said oath shall be discharged by the court from serving on the grand or petit jury, or venire, to which he may have been summoned.

Persons declining to take such oath shall be discharged.

SEC. 3. *And be it further enacted,* That each and every person who shall take the oath herein prescribed, and who shall swear falsely to any matter of fact embraced by it, shall be held to have committed the crime of perjury, and shall be subject to the pains and penalties declared against that crime.

APPROVED, June 17, 1862.

CHAP. CIV. — *An Act making Provision for raising Property of the United States sunk in the Waters thereof.* June 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be and he is hereby authorized and empowered to contract with such person or persons as he shall deem most for the public service for raising such vessels, their armaments, stores, or equipments, belonging to the United States, and sunk in the waters thereof; and that the sum of one hundred thousand dollars be and the same is hereby appropriated to carry the provisions of this act into effect.

APPROVED, June 17, 1862.

CHAP. CV. — *An Act to authorize the Secretary of the Treasury to change the Names of certain Vessels.* June 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be and hereby is authorized to change the name of the schooner "Frank Pierce," owned by A. Emerson and Company, of Youngstown, State of New York, to that of "General Sigel;" and also to change the name of the vessel "Maury," owned by A. A. Low and Brothers, of Brooklyn, State of New York, to that of "Benefactress;" and also to change the name of the bark "Henry H. Didier," owned by William Applegarth and William Hubbard, of Baltimore, State of Maryland, to that of the "Flora;" and to grant said vessels registers in said respective names.

APPROVED, June 17, 1862.

CHAP. CVIII. — *An Act to direct the Secretary of the Treasury to issue American Registers to certain Vessels.* June 18, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby directed to issue American registers to the vessels "North Star" and "Dolphin," of the Oswego collection district, in the State of New York, the same being Canadian-built vessels but now owned by American citizens.

APPROVED, June 18, 1862.

CHAP. CIX. — *An Act providing that the Officers of Volunteers shall be paid on the Pay-Rolls of the Regiments or Companies to which they belong.* June 18, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That company officers of volunteers shall be paid on the muster and pay rolls of their company, party, or detachment, and not otherwise, except when such officer may be on detached service without troops, or on leave of absence.

APPROVED, June 18, 1862.

CHAP. CX. — *An Act making Appropriations for Postal Service on Post Routes established at the present Session of Congress.* June 18, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred

Swearing falsely in taking the oath, to be perjury.

Secretary of Navy may contract for raising certain sunken vessels, &c.

Appropriation.

Names of certain vessels may be changed.

The Frank Pierce.

The Maury.

The Henry H. Didier.

Registers to be granted.

Register to issue to the "North Star" and "Dolphin."

Company officers of volunteers, on what rolls to be paid.

Appropriations for postal service.

and fifty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for postal service on such mail routes established by the present Congress as the Postmaster General may deem necessary and expedient.

APPROVED, June 18, 1862.

June 19, 1862. CHAP. CXI. — *An Act to secure Freedom to all Persons within the Territories of the United States.*

Freedom in the Territories secured.

Post, p. 811.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act there shall be neither slavery nor involuntary servitude in any of the Territories of the United States now existing, or which may at any time hereafter be formed or acquired by the United States, otherwise than in punishment of crimes whereof the party shall have been duly convicted.

APPROVED, June 19, 1862.

June 19, 1862. CHAP. CXII. — *An Act to change the Location of the Port of Entry for the Puget Sound Collection District.*

Port of entry for Puget Sound collection district.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of October, eighteen hundred and sixty-two, the port of Port Townsend, in the district of Puget Sound, in Washington Territory, is hereby abolished as a port of entry; and that Port Angelos be and is hereby established as the port of entry and delivery for the said district from and after the said date.

APPROVED, June 19, 1862.

June 20, 1862. CHAP. CXVI. — *An Act to change the Port of Entry for the District of Brunswick, Georgia.*

Port of entry for the district of Brunswick, Georgia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of July, eighteen hundred and sixty-two, the port of entry for the district of Brunswick, Georgia, shall be Brunswick, and that Darien shall be abolished as the port of entry.

Deputy collector at Darien.

SEC. 2. *And be it further enacted,* That there shall be a deputy collector appointed, according to law, to reside at Darien, and to exercise such powers as the Secretary of the Treasury, under the revenue laws, may prescribe.

APPROVED, June 20, 1862.

July 1, 1862. CHAP. CXIX. — *An Act to provide Internal Revenue to support the Government and to pay Interest on the Public Debt.*

1862, ch. 163, § 27. Post, pp. 561, 627.

1863, ch. 74. Post, p. 713.

Office of Commissioner of Internal Revenue, created.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of superintending the collection of internal duties, stamp duties, licenses, or taxes imposed by this act, or which may be hereafter imposed, and of assessing the same, an office is hereby created in the Treasury Department to be called the office of the Commissioner of Internal Revenue; and the President of the United States is hereby authorized to nominate, and, with the advice and consent of the Senate, to appoint, a Commissioner of Internal Revenue, with an annual salary of four thousand dollars, which shall be charged, and hereby is charged, under the direction of the Secretary of the Treasury, with preparing all the instructions, regulations, directions, forms, blanks, stamps, and licenses, and distributing the same,

Commissioner, appointment, salary, duty, &c., to prepare rules, forms, blanks, &c.,

or any part thereof, and all other matters pertaining to the assessment and collection of the duties, stamp duties, licenses, and taxes, which may be necessary to carry this act into effect, and with the general superintendence of his office, as aforesaid, and shall have authority, and hereby is authorized and required, to provide proper and sufficient stamps or dies for expressing and denoting the several stamp duties, or the amount thereof in the case of percentage duties, imposed by this act, and to alter and renew or replace such stamps from time to time, as occasion shall require; and the Secretary of the Treasury may assign to the office of the Commissioner of Internal Revenue such number of clerks as he may deem necessary, or the exigencies of the public service may require, and the privilege of franking all letters and documents pertaining to the duties of his office, and of receiving free of postage all such letters and documents, is hereby extended to said commissioner.

Commissioner of Internal Revenue,

to provide stamps and dies,

Post, p. 725.

to have clerks.

Franking privilege.

GENERAL PROVISIONS.

General provisions.

SEC. 2. *And be it further enacted*, That, for the purpose of assessing, levying, and collecting the duties or taxes hereinafter prescribed by this act, the President of the United States be, and he is hereby, authorized to divide, respectively, the States and Territories of the United States and the District of Columbia into convenient collection districts, and to nominate, and, by and with the advice and consent of the Senate, to appoint an assessor and a collector for each such district, who shall be residents within the same: *Provided*, That any of said States and Territories, and the District of Columbia, may, if the President shall deem it proper, be erected into and included in one district: *Provided*, That the number of districts in any State shall not exceed the number of representatives to which such State shall be entitled in the present Congress, except in such States as are entitled to an increased representation in the Thirty-Eighth Congress, in which States the number of districts shall not exceed the number of Representatives to which any such State may be so entitled: *And provided further*, That in the State of California the President may establish a number of districts not exceeding the number of Senators and Representatives to which said State is entitled in the present Congress.

Convenient collection districts to be made.

Assessor and collector for each. Post, p. 561.

Any State, &c., may make one district.

Limit to number of districts in any State.

California.

SEC. 3. *And be it further enacted*, That each of the assessors shall divide his district into a convenient number of assessment districts, subject to such regulations and limitations as may be imposed by the Commissioner of Internal Revenue, within each of which he shall appoint one assistant assessor, who shall be resident therein; and each assessor and assistant assessor so appointed, and accepting the appointment, shall, before he enters on the duties of his appointment, take and subscribe, before some competent magistrate, or some collector, to be appointed by virtue of this act, (who is hereby empowered to administer the same,) the following oath or affirmation, to wit: "I, A. B, do swear, or affirm, (as the case may be,) that I will bear true faith and allegiance to the United States of America, and will support the Constitution thereof, and that I will, to the best of my knowledge, skill, and judgment, diligently and faithfully execute the office and duties of assessor for, (naming the assessment district,) without favor or partiality, and that I will do equal right and justice in every case in which I shall act as assessor." And a certificate of such oath or affirmation shall be delivered to the collector of the district for which such assessor or assistant assessor shall be appointed. And every assessor or assistant assessor acting in the said office without having taken the said oath or affirmation shall forfeit and pay one hundred dollars, one moiety thereof to the use of the United States, and the other moiety thereof to him who shall first sue for the same, with costs of suit.

Assessor to divide his district into convenient assessment districts.

Assistant assessor in each.

Oath of assessor and assistants.

Certificate of oath.

Penalty for acting without taking oath.

SEC. 4. *And be it further enacted*, That before any such collector

Bonds of collectors. Amount. Not less than five sureties. Conditions of bonds. Where to be filed. Bonds to be renewed, &c.

shall enter upon the duties of his office, he shall execute a bond for such amount as shall be prescribed by the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, with not less than five sureties to be approved as sufficient by the Solicitor of the Treasury, containing the condition that said collector shall faithfully perform the duties of his office according to law, and shall justly and faithfully account for and pay over to the United States, in compliance with the order or regulations of the Secretary of the Treasury, all public moneys which may come into his hands or possession; which bond shall be filed in the office of the First Comptroller of the Treasury. And such collector[s] shall, from time to time, renew, strengthen, and increase their official bonds, as the Secretary of the Treasury may direct.

Collector may appoint deputies; to pay them, may revoke such appointment, may require bonds. Deputy to have same power to collect as the collector. Collector responsible for acts of deputies. Any collector may collect the whole tax in his district.

SEC. 5. *And be it further enacted*, That each collector shall be authorized to appoint, by an instrument of writing under his hand, as many deputies as he may think proper, to be by him compensated for their services, and also to revoke any such appointment, giving such notice thereof as the Commissioner of Internal Revenue shall prescribe; and may require bonds or other securities and accept the same from such deputy; and each such deputy shall have the like authority, in every respect, to collect the duties and taxes levied or assessed within the portion of the district assigned to him which is by this act vested in the collector himself; but each collector shall, in every respect, be responsible both to the United States and to individuals, as the case may be, for all moneys collected, and for every act done as deputy collector by any of his deputies whilst acting as such, and for every omission of duty: *Provided*, That nothing herein contained shall prevent any collector from collecting himself the whole or any part of the duties and taxes so assessed and payable in his district.

Persons, firms, corporations, &c. to return lists to assistant assessor of articles subject to tax, &c.

Forms, &c. of returns.

SEC. 6. *And be it further enacted*, That it shall be the duty of any person or persons, partnerships, firms, associations, or corporations, made liable to any duty, license, stamp, or tax imposed by this act, when not otherwise and differently provided for, on or before the first day of August, eighteen hundred and sixty-two, and on or before the first Monday of May in each year thereafter, and in all other cases before the day of levy, to make a list or return to the assistant assessor of the district where located, of the amount of annual income, the articles or objects charged with a special duty or tax, the quantity of goods, wares, and merchandise made or sold, and charged with a specific or ad valorem duty or tax, the several rates and aggregate amount according to the respective provisions of this act, and according to the forms and regulations to be prescribed by the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, for which such person or persons, partnerships, firms, associations or corporations are liable to be assessed under and by virtue of the provisions of this act.

Instructions, &c. binding on assessors, collectors, &c.

Assistant assessors annually to value and enumerate objects of taxation.

SEC. 7. *And be it further enacted*, That the instructions, regulations, and directions, as hereinbefore mentioned, shall be binding on each assessor and his assistants, and on each collector and his deputies, in the performance of the duties enjoined by or under this act; pursuant to which instructions the said assessors shall, on the first day of August, eighteen hundred and sixty-two, and on the first Monday of May in each succeeding year, and from time to time thereafter, in accordance with this act, direct and cause the several assistant assessors to proceed through every part of their respective districts; and inquire after and concerning all persons being within the assessment districts where they respectively reside, owning, possessing, or having the care or management of any property, goods, wares, and merchandise, articles or objects liable to pay any duty, stamp or tax, including all persons liable to pay a license duty, under the provisions of this act, (by reference as well to any lists of assessment or collection taken under the laws of the respective States, as to any other

records or documents, and by all other lawful ways and means, especially to the written list, schedule, or return required to be made out and delivered to the assistant assessor by all persons owning, possessing, or having the care or management of any property, as aforesaid, liable to duty or taxation,) and to value and enumerate the said objects of taxation, respectively, in the manner prescribed by this act, and in conformity with the regulations and instructions before mentioned.

SEC. 8. *And be it further enacted,* That if any person owning, possessing, or having the care or management of property, goods, wares, and merchandise, articles or objects liable to pay any duty, tax, or license, shall fail to make and exhibit a written list when required, as aforesaid, and shall consent to disclose the particulars of any and all the property, goods, wares, and merchandise, articles and objects liable to pay any duty or tax, or any business or occupation liable to pay any license, as aforesaid, then, and in that case, it shall be the duty of the officer to make such list, which, being distinctly read, consented to, and signed, by the person so owning, possessing, or having the care and management as aforesaid, shall be received as the list of such person.

Tax lists, how to be made, when persons, &c. fail to make lists, but disclose to assessors, &c.

SEC. 9. *And be it further enacted,* That if any such person shall deliver or disclose to any assessor or assistant assessor appointed in pursuance of this act, and requiring a list or lists, as aforesaid, any false or fraudulent list or statement, with intent to defeat or evade the valuation or enumeration hereby intended to be made, such person so offending, and being thereof convicted on indictment found therefor in any circuit or district court of the United States held in the district in which such offence may be committed, shall be fined in a sum not exceeding five hundred dollars, at the discretion of the court, and shall pay all costs and charges of prosecution; and the valuation and enumeration required by this act shall, in all such cases, and in all cases of under valuation or under statement in such lists or statements, be made, as aforesaid, upon lists, according to the form prescribed, to be made out by the assessors and assistant assessors, respectively; which lists the said assessors and assistant assessors are hereby authorized and required to make according to the best information they can obtain, and for the purpose of making which they are hereby authorized to enter into and upon all and singular the premises, respectively; and from the valuation and enumeration so made there shall be no appeal.

Penalty for delivering or disclosing fraudulent list.

Valuation and enumeration how made in such cases.

Power of assessors, &c. in making such lists.

No appeal.

SEC. 10. *And be it further enacted,* That in case any person shall be absent from his or her place of residence at the time an assistant assessor shall call to receive the list of such person, it shall be the duty of such assistant assessor to leave at the place of residence of such person, with some person of suitable age and discretion, if such be present, otherwise to deposit in the nearest post office a written note or memorandum, addressed to such person, requiring him or her to present to such assessor the list or lists required by this act within ten days from the date of such note or memorandum.

Assistant assessor to notify persons absent at the time of his call, to send in lists within ten days.

Post, p. 713.

SEC. 11. *And be it further enacted,* That if any person, on being notified or required, as aforesaid, shall refuse or neglect to give such list or lists within the time required, as aforesaid, it shall be the duty of the assessor for the assessment district within which such person shall reside, and he is hereby authorized and required, to enter into and upon the premises, if it be necessary, of such persons so refusing or neglecting, and to make, according to the best information which he can obtain, and on his own view and information, such lists of property, goods, wares, and merchandise, and all articles or objects liable to duty or taxation, owned or possessed, or under the care or management of such person, as are required by this act, including the amount, if any, due for license; and in case of refusal or neglect to make such lists, except in cases of sickness, the assessors shall thereupon add fifty per centum to the amount of the

Upon refusal, &c. to give lists, assessor to enter upon premises and make lists. [Amended, Post, p. 713.]

When fifty per cent. to be added.

Such lists to be good, &c. items thereof; and the lists, so made and subscribed by such assessor, shall be taken and reputed as good and sufficient lists of the persons and property for which such person is to be taxed for the purposes of this act; and the person so failing or neglecting, unless in case of sickness or failure to receive the notice, shall, moreover, forfeit and pay the sum of one hundred dollars, except where otherwise provided for, to be recovered for the use of the United States, with costs of suit.

Penalty for failing, &c. to give in list, &c.

Lists of property, &c. of non-resident owners, how made.

SEC. 12. *And be it further enacted,* That whenever there shall be in any assessment district any property, goods, wares, and merchandise, articles, or objects, not owned or possessed by, or under the care or management of, any person or persons within such district, and liable to be taxed as aforesaid, and no list of which shall have been transmitted to the assistant assessor in the manner provided by this act, it shall be the duty of the assistant assessor for such district, and he is hereby authorized and required, to enter into and upon the premises where such property is situated, and take such view thereof as may be necessary, and to make lists of the same, according to the form prescribed, which lists, being subscribed by the said assessor, shall be taken and reputed as good and sufficient lists of such property, goods, wares, and merchandise, articles, or objects, as aforesaid, under and for the purposes of this act.

Non-resident owners may deliver lists to assistant assessors of their districts.

SEC. 13. *And be it further enacted,* That the owners, possessors, or persons having the care or management of property, goods, wares, and merchandise, articles or objects, not lying or being within the assessment district in which they reside, shall be permitted to make out and deliver the lists thereof required by this act (provided the assessment district in which the said objects of duty or taxation are situated, is therein distinctly stated) at the time and in the manner prescribed to the assistant assessor of the assessment district wherein such persons reside. And it shall be the duty of the assistant assessor who receives any such list to transmit the same to the assistant assessor where such objects of taxation are situate, who shall examine such list; and if he approves the same, he shall return it to the assistant assessor from whom he received it, with his approval thereof; and if he fails to approve the same, he shall make such alterations therein as he may deem to be just and proper, and shall then return the said list, with such alterations therein or additions thereto, to the assistant assessor from whom he received the said list; and the assistant assessor, where the person liable to pay such tax resides, shall proceed in making the assessment of the tax upon the list by him so received, in all respects as if the said list had been made out by himself.

Assistant assessors to transmit such lists.

Further proceedings with such lists.

Lists to be taken with reference to what day.

SEC. 14. *And be it further enacted,* That the lists aforesaid shall, where not otherwise specially provided for, be taken with reference to the day fixed for that purpose by this act, as aforesaid, and where duties accrue at other and different times, the lists shall be taken with reference to the time when said duties become due; and the assistant assessors, respectively, after collecting the said lists, shall proceed to arrange the same, and to make two general lists, the first of which shall exhibit, in alphabetical order, the names of all persons liable to pay any duty, tax, or license under this act residing within the assessment district, together with the value and assessment, or enumeration, as the case may require, of the objects liable to duty or taxation within such district for which each such person is liable, or for which any firm, company, or corporation is liable, with the amount of duty or tax payable thereon; and the second list shall exhibit, in alphabetical order, the names of all persons residing out of the collection district, owners of property within the district, together with the value and assessment or enumeration thereof, as the case may be, with the amount of duty or tax payable thereon as aforesaid. The forms of the said general list shall be devised and prescribed by the assessor, under the direction of the Commissioner of Internal Revenue, and lists taken according to such forms shall be made out by the assistant assessors

List of residents;

of non-residents.

Forms.
Lists to be delivered to assess-

and delivered to the assessor within thirty days after the day fixed by this act as aforesaid, requiring lists from individuals; or where duties, licenses, or taxes accrue at other and different times, the lists shall be delivered from time to time as they become due. And if any assistant assessor shall fail to perform any duty assigned by this act within the time prescribed by his precept, warrant, or other legal instructions, not being prevented therefrom by sickness or other unavoidable accident, every such assistant assessor shall be discharged from office, and shall, moreover, forfeit and pay two hundred dollars, to be recovered for the use of the United States, with costs of suit.

Assessor in thirty days, &c.

Penalty on assistant assessors for failing to do duty in time.

SEC. 15. *And be it further enacted*, That the assessors for each collection district shall, by advertisement in some public newspaper published in each county within said district, if any such there be, and by written or printed notifications, to be posted up in at least four public places within each assessment district, advertise all persons concerned of the time and place within said county when and where the lists, valuations, and enumerations made and taken within said county may be examined; and said lists shall remain open for examination for the space of fifteen days after notice shall have been given as aforesaid. And said notifications shall also state when and where within said county, after the expiration of said fifteen days, appeals will be received and determined relative to any erroneous or excessive valuations or enumerations by the assistant assessors. And it shall be the duty of the assessor for each collection district, at the time fixed for hearing such appeal as aforesaid, to submit the proceedings of the assistant assessors, and the lists taken and returned as aforesaid, to the inspection of any and all persons who may apply for that purpose. And the said assessor for each collection district is hereby authorized, at any time within fifteen days from and after the expiration of the time allowed for notification as aforesaid, to hear and determine, in a summary way, according to law and right, upon any and all appeals which may be exhibited against the proceedings of the said assistant assessors: *Provided*, That the question to be determined by the assessor, on an appeal respecting the valuation or enumeration of property, or objects liable to duty or taxation, shall be, whether the valuation complained of be or be not in a just relation or proportion to other valuations in the same assessment district, and whether the enumeration be or be not correct. And all appeals to the assessor, as aforesaid, shall be made in writing, and shall specify the particular cause, matter, or thing respecting which a decision is requested; and shall, moreover, state the ground or principle of inequality or error complained of. And the assessor shall have power to re-examine and equalize the valuations as shall appear just and equitable; but no valuation or enumeration shall be increased without a previous notice, of at least five days, to the party interested, to appear and object to the same, if he judge proper; which notice shall be given by a note in writing, to be left at the dwelling-house, office, or place of business of the party by such assessor or an assistant assessor.

Assessors to advertise where tax lists, &c. may be examined.

Lists to remain open how long.

Appeals from valuations, &c.

Assessor to decide summarily.

Question to be determined by the assessor.

Appeals to be in writing and to specify particular objections.

Power of assessor.

Valuation not to be increased except after notice.

SEC. 16. *And be it further enacted*, That the said assessors of each collection district, respectively, shall, immediately after the expiration of the time for hearing appeals, and, from time to time, as duties, taxes, or licenses become liable to be assessed, make out lists containing the sums payable according to the provisions of this act upon every object of duty or taxation in and for each collection district, which lists shall contain the name of each person residing within the said district, owning or having the care or superintendence of property lying within the said district which is liable to the said tax, or engaged in any business or pursuit requiring a license, when such person or persons are known, together with the sums payable by each; and where there is any property within any collection district liable to the payment of the said duty or tax, not owned or occupied by or under the superintendence of any person resi-

Assessors to make out lists for collection.

Contents of lists.

Separate lists. dent therein, there shall be a separate list of such property, specifying the sum payable, and the names of the respective proprietors, where known. And the assistant assessor making out any such separate list shall transmit therefrom to the assistant assessor, where the persons liable to pay such tax reside or shall have their principal place of business, copies of the list of property held by persons so liable to pay such tax, to the end that the taxes assessed under the provisions of this act may be paid within the collection district where the persons liable to pay the same reside or may have their principal place of business. And in all other cases the said assessor shall furnish to the collectors of the several collection districts, respectively, within ten days after the time of hearing appeals, and from time to time thereafter as required, a certified copy of such list or lists for their proper collection districts; and in default of performance of the duties enjoined upon assessors by this section they shall severally and individually forfeit and pay the sum of five hundred dollars to the use of the United States, and, moreover, shall forfeit their compensation as assessors: *Provided*, That it shall be in the power of the Commissioner of Internal Revenue to exonerate any assessor as aforesaid from such forfeitures, in whole or in part, as to him shall appear just and equitable.

Lists to be furnished collectors in ten days, &c.

Penalty for neglect of duty.

Power of commissioner in such cases.

Pay of assessors, &c.,

Post, p. 726.

of assistant assessors.

Charges for stationery, &c. to be allowed.

Additional pay in California, Oregon, and the Territories.

Pay when collection district has more than one congressional district.

Collector, on receiving lists, to subscribe three receipts.

One on full copy of list.

List where to remain.

Other receipts on aggregate statements, &c., to whom to be transmitted.

SEC. 17. *And be it further enacted*, That there shall be allowed and paid to the several assessors and assistant assessors, for their services under this act, to each assessor three dollars per day for every day employed in making the necessary arrangements and giving the necessary instructions to the assistant assessors for the valuation; and five dollars per day for every day employed in hearing appeals, revising valuations, and making out lists agreeably to the provisions of this act; and one dollar for every hundred taxable persons contained in the tax list, as delivered by him to said collectors, and forwarded to the Commissioner of Internal Revenue; to each assistant assessor three dollars for every day actually employed in collecting lists and making valuations, the number of days necessary for that purpose to be certified by the assessor and approved by the Commissioner of Internal Revenue; and one dollar for every hundred taxable persons contained in the tax list, as completed and delivered by him to the assessor. And the said assessors and assistant assessors, respectively, shall also be allowed their necessary and reasonable charges for stationery and blank books used in the execution of their duties, and the compensation herein specified shall be in full for all expenses not otherwise particularly authorized: *Provided*, The Secretary of the Treasury shall be, and he is hereby, authorized to fix such additional rates of compensation to be made to assessors and assistant assessors in the States of California and Oregon and the Territories as may appear to him to be just and equitable in consequence of the greater cost of living and travelling in those States and Territories, and as may in his judgment be necessary to secure the services of competent and efficient men, provided the rates of compensation thus allowed shall not exceed the rates paid to similar officers in such States and Territories respectively. In cases where a collection district embraces more than a single congressional district the Secretary of the Treasury may allow the assessor such compensation as he may deem necessary.

SEC. 18. *And be it further enacted*, That each collector, on receiving a list, as aforesaid, and from time to time as such lists may be received from the said assessors, respectively, shall subscribe three receipts; one of which shall be given on a full and correct copy of such list, which list shall be delivered by him to, and shall remain with, the assessor of his collection district, and shall be open to the inspection of any person who may apply to inspect the same; and the other two receipts shall be given on aggregate statements of the lists aforesaid, exhibiting the gross amount of taxes to be collected in his collection district, one of which aggregate statements and receipts shall be transmitted to the Commissioner of In-

ternal Revenue, and the other to the First Comptroller of the Treasury ; and all lists received from time to time, as aforesaid, shall be in like form and manner transmitted as aforesaid.

SEC. 19. *And be it further enacted,* That each of said collectors shall, within ten days after receiving his annual collection list from the assessors, respectively as aforesaid, give notice, by advertisement published in each county in his collection district, in one newspaper printed in such county, if any such there be, and by notifications to be posted up in at least four public places in each county in his collection district, that the said duties have become due and payable, and state the time and place within said county at which he will attend to receive the same, which time shall not be less than ten days after such notification ; and all persons who shall neglect to pay the duties and taxes so as aforesaid assessed upon them to the collector within the time specified, shall be liable to pay ten per centum additional upon the amount thereof, the fact of which liability shall be stated in the advertisement and notifications aforesaid. And with regard to all persons who shall neglect to pay as aforesaid, it shall be the duty of the collector, in person or by deputy, within twenty days after such neglect, to make a demand personally, or at the dwellings or usual places of business of such persons, if any they have, for payment of said duties or taxes, with the ten per centum additional aforesaid. And with respect to all such duties or taxes as are not included in the annual lists aforesaid, and all taxes and duties the collection of which is not otherwise provided for in this act, it shall be the duty of each collector, in person or by deputy, to demand payment thereof, in manner aforesaid, within ten days from and after receiving the list thereof from the assessor ; and if the annual and other duties shall not be paid within ten days from and after such demand therefor, it shall be lawful for such collector or his deputies to proceed to collect the said duties or taxes, with ten per centum additional thereto, as aforesaid, by distraint and sale of the goods, chattels, or effects of the persons delinquent as aforesaid. And in case of such distraint it shall be the duty of the officer charged with the collection to make, or cause to be made, an account of the goods or chattels which may be distrained, a copy of which, signed by the officer making such distraint, shall be left with the owner or possessor of such goods, chattels, or effects, or at his or her dwelling, with some person of suitable age and discretion, with a note of the sum demanded, and the time and place of sale ; and the said officer shall forthwith cause a notification to be published in some newspaper within the county wherein said distraint is made, if there is a newspaper published in said county, or to be publicly posted up at the post-office, if there be one within five miles, nearest to the residence of the person whose property shall be distrained, and in not less than two other public places, which notice shall specify the articles distrained, and the time and place for the sale thereof, which time shall not be less than ten nor more than twenty days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distraint : *Provided,* That in any case of distraint for the payment of the duties or taxes aforesaid the goods, chattels, or effects so distrained shall and may be restored to the owner or possessor, if prior to the sale payment of the amount due or tender thereof shall be made to the proper officer charged with the collection of the full amount demanded, together with such fee for levying, and such sum for the necessary and reasonable expense of removing, advertising, and keeping the goods, chattels, or effects so distrained as may be prescribed by the Commissioner of Internal Revenue ; but in case of non-payment or tender, as aforesaid, the said officers shall proceed to sell the said goods, chattels, or effects at public auction, and shall and may retain from the proceeds of such sale the amount demandable for the use of the United States, with the necessary and reasonable expenses of distraint and sale,

Collector to give notice that duties are due. [Amended, Post, p. 714.]

Persons neglecting to pay in time, to be liable to pay ten per cent. in addition.

Collector to make demand.

If duties, &c. are not paid within ten days after demand, collector to distraint and sell.

Duty of officer in cases of distraint.

Goods, &c. distrained may be returned to owner, if he, before sale, pays amount due and expenses.

When and how officers to sell.

Expenses and charges.

What exempt
from distraint.

Proceedings in
cases of distraint
where property is
not divisible.

Collector may
purchase for the
United States.

Such property
may be sold.

If personal prop-
erty is insuffi-
cient, real estate
may be seized
and sold.

Proceedings in
such cases.

Sale.

and a commission of five per centum thereon for his own use, rendering the overplus, if any there be, to the person whose goods, chattels, or effects shall have been distrained: *Provided*, That there shall be exempt from distraint the tools or implements of a trade or profession, one cow, arms, and provisions, and household furniture kept for use, and apparel necessary for a family.

SEC. 20. *And be it further enacted*, That in all cases where the property liable to distraint for duties or taxes under this act, may not be divisible, so as to enable the collector by a sale of part thereof to raise the whole amount of the tax, with all costs, charges, and commissions, the whole of such property shall be sold, and the surplus of the proceeds of the sale, after satisfying the duty or tax, costs and charges, shall be paid to the owner of the property, or his, her, or their legal representatives; or if he, she, or they cannot be found, or refuse to receive the same, then such surplus shall be deposited in the treasury of the United States, to be there held for the use of the owner, or his, her, or their legal representatives, until he, she, or they shall make application therefor to the Secretary of the Treasury, who, upon such application, shall, by warrant on the treasury, cause the same to be paid to the applicant. And if the property advertised for sale as aforesaid cannot be sold for the amount of the duty or tax due thereon, with the costs and charges, the collector shall purchase the same in behalf of the United States for an amount not exceeding the said tax or duty, with the costs and charges thereon. And all property so purchased may be sold by said collector under such regulations as may be prescribed by the Commissioner of Internal Revenue. And the collector shall render a distinct account of all charges incurred in the sale of such property, and shall pay into the treasury the surplus, if any there be, after defraying the charges.

SEC. 21. *And be it further enacted*, That in any case where goods, chattels, or effects sufficient to satisfy the duties imposed by this act upon any person liable to pay the same, shall not be found by the collector or deputy collector, whose duty it may be to collect the same, he is hereby authorized to collect the same by seizure and sale of real estate; and the officer making such seizure and sale shall give notice to the person whose estate is proposed to be sold, by giving him in hand, or leaving at his last and usual place of abode, if he has any such within the collection district where said estate is situated, a notice, in writing, stating what particular estate is proposed to be sold, describing the same with reasonable certainty, and the time when and the place where said officer proposes to sell the same; which time shall not be less than ten nor more than twenty days from the time of giving said notice; and the said officer shall also cause a notification to the same effect to be published in some newspaper within the county where such seizure is made, if any such there be, and shall also cause a like notice to be posted up at the post-office nearest to the place of residence of the person whose estate shall be so seized, and in two other public places within the county; and the place of said sale shall not be more than five miles distant from the estate seized. At the time and place appointed, the officer making such seizure shall proceed to sell the said estate at public auction, offering the same at a minimum price, including the amount of duties with the ten per centum additional thereon, and all charges for advertising, and an officer's fee of ten dollars. And if no person offers for said estate the amount of said minimum, the officer shall declare the same to be purchased by him for the United States, and shall deposit with the district attorney of the United States a deed thereof, as hereinafter specified and provided; otherwise the same shall be declared to be sold to the highest bidder. And said sale may be adjourned by said officer for a period not exceeding five days, if he shall think it advisable so to do. If the amount bid shall not be then and there paid, the officer shall forthwith proceed to again sell

said estate in the same manner. If the amount bid shall be then and there paid, the officer shall give his receipt therefor, if requested, and within five days thereafter he shall make out a deed of the estate so sold to the purchaser thereof, and execute the same in his official capacity, in the manner prescribed by the laws of the State in which said estate may [be] situated, in which said deed shall be recited the fact of said seizure and sale, with the cause thereof, the amount of duty for which said sale was made, and of all charges and fees, and the amount paid by the purchaser, and all his acts and doings in relation to said seizure and sale, and shall have the same ready for delivery to said purchaser, and shall deliver the same accordingly, upon request therefor. And said deed shall be prima facie evidence of the truth of the facts stated therein; and if the proceedings of the officer, as set forth, have been substantially in pursuance of the provisions of this act, shall be considered and operate as a conveyance to the purchaser of the title to said estate, but shall not affect the rights of third persons acquired previously to the claim of the United States under this act. The surplus, if any, arising from such sale shall be disposed of as provided in this act for like cases arising upon sales of personal property. And any person whose estate may be seized for duties, as aforesaid, shall have the same right to pay or tender the amount due, with all proper charges thereon, prior to the sale thereof, and thereupon to relieve his said estate from sale, as aforesaid, as is provided in this act for personal property similarly situated. And any collector or deputy collector may, for the collection of duties imposed upon any person by this act, and committed to him for collection, seize and sell the lands of such person situated in any other collection district within the State in which said officer resides; and his proceedings in relation thereto shall have the same effect as if the same were had in his proper collection district; and the owners, their heirs, executors, or administrators, or any person having an interest therein, or any person on their behalf, shall have liberty to redeem the land sold as aforesaid within one year from and after recording the said deed, upon payment to the purchaser, or in case he cannot be found in the county where the lands are situate, to the collector for the use of the purchaser, his heirs, or assigns, of the amount paid by the purchaser, with interest on the same at the rate of twenty per centum per annum. And it shall be the duty of every collector to keep a record of all sales of land made in his collection district, whether by himself or his deputies, in which shall be set forth the tax for which any such sale was made, the dates of seizure and sale, the name of the party assessed, and all proceedings in making said sale, the amount of fees and expenses, the name of the purchaser, and the date of the deed; which record shall be certified by the officer making the sale. And it shall be the duty of any deputy making sale, as aforesaid, to return a statement of all his proceedings to the collector, and to certify the record thereof. And in case of the death or removal of the collector, or the expiration of his term of office from any other cause, said record shall be deposited in the office of the clerk of the District Court of the United States for the district within which the said collector resided; and a copy of every such record, certified by the collector, or by the clerk, as the case may require, shall be evidence, in any court, of the truth of the facts therein stated. And when any lands sold as aforesaid shall be redeemed as hereinbefore provided, the collector or clerk, as the case may be, shall make an entry of the fact upon the record aforesaid, and the said entry shall be evidence of such redemption. And the claim of the Government to lands sold under and by virtue of the foregoing provisions shall be held to have accrued at the time of seizure thereof.

SEC. 22. *And be it further enacted*, That if any collector shall find upon any lists of taxes returned to him for collection property lying within his district which is charged with any specific or ad valorem tax or

Deed.

Recitals.

Lands seized
may be redeemed
from sale by pay-
ing amount due.

Collector to
keep record of
sales of lands.

Collection of
taxes upon prop-
erty of persons
non-residents in
the United States.

Proceedings in
such case.

duty, but which is not owned, occupied, or superintended by some person known to such collector to reside or to have some place of business within the United States, such collector shall forthwith take such property into his custody, and shall advertise the same, and the tax charged upon the same, in some newspaper published in his district, if any shall be published therein, otherwise in some newspaper in an adjoining district, for the space of thirty days; and if the taxes thereon, with all charges for advertising, shall not be paid within said thirty days, such collector shall proceed to sell the same, or so much as is necessary, in the manner provided for the sale of other goods distrained for the non-payment of taxes, and out of the proceeds shall satisfy all taxes charged upon such property, with the costs of advertising and selling the same. And like proceedings to those provided in the preceding section for the purchase and resale of property which cannot be sold for the amount of duty or tax due thereon shall be had with regard to property sold under the provisions of this section. And any surplus arising from any sale herein provided for shall be paid into the treasury, for the benefit of the owner of the property. And the Secretary of the Treasury is authorized in any case where money shall be paid into the treasury for the benefit of any owner of property sold as aforesaid, to repay the same, on proper proof being furnished that the person applying therefor is entitled to receive the same.

Collectors to
return monthly
statements of
collections to
commissioner,

SEC. 23. *And be it further enacted,* That the several collectors shall, at the expiration of each and every month, after they shall, respectively, commence their collections, transmit to the Commissioner of Internal Revenue a statement of the collections made by them, respectively, within the month, and pay over monthly, or at such time or times as may be required by the Commissioner of Internal Revenue, the moneys by them respectively collected within the said term, and at such places as may be designated and required by the Commissioner of Internal Revenue; and each of the said collectors shall complete the collection of all sums annually assigned to him for collection, as aforesaid, shall pay over the same into the treasury, and shall render his final account to the Treasury Department as often as he may be required, and within six months from and after the day when he shall have received the collection lists from the said assessors or assistant assessors, as aforesaid. And the Secretary of the Treasury is authorized to designate one or more depositories in each State, for the deposit and safe-keeping of the moneys collected by virtue of this act; and the receipt of the proper officer of such depository to a collector for the money deposited by him shall be a sufficient voucher for such collector in the settlement of his accounts at the Treasury Department; and the Commissioner of Internal Revenue may, under the direction of the Secretary of the Treasury, prescribe such regulations with reference to such deposits as he may deem necessary.

to complete col-
lections and ren-
der final account.

Collector to
be charged with
whole amount
of taxes,

and to be cred-
ited with, &c.

SEC. 24. *And be it further enacted,* That each collector shall be charged with the whole amount of taxes by him receipted, whether contained in lists delivered to him by the assessors, respectively, or delivered or transmitted to him by assistant assessors from time to time, or by other collectors; and shall be credited with the amount of duties or taxes contained in the lists transmitted in the manner above provided to other collectors, and by them receipted as aforesaid; and also for the duties or taxes of such persons as may have absconded, or become insolvent, prior to the day when the duty or tax ought, according to the provisions of this act, to have been collected: *Provided,* That it shall be proved to the satisfaction of the First Comptroller of the Treasury that due diligence was used by the collector, and that no property was left from which the duty or tax could have been recovered. And each collector shall also be credited with the amount of all property purchased by him for the use of the United States, provided he shall faithfully account for, and pay over,

the proceeds thereof upon a resale of the same as required by this act.

SEC. 25. *And be it further enacted*, That if any collector shall fail either to collect or to render his account, or to pay over in the manner or within the times hereinbefore provided, it shall be the duty of the First Comptroller of the Treasury, and he is hereby authorized and required, immediately after such delinquency, to report the same to the Solicitor of the Treasury, who shall issue a warrant of distress against such delinquent collector and his sureties, directed to the marshal of the district, therein expressing the amount of the taxes with which the said collector is chargeable, and the sums, if any, which have been paid. And the said marshal shall, himself, or by his deputy, immediately proceed to levy and collect the sum which may remain due, by distress and sale of the goods and chattels, or any personal effects of the delinquent collector, giving at least five days' notice of the time and place of sale, in the manner provided by law for advertising sales of personal property on execution in the State wherein such collector resides; and, furthermore, if such goods, chattels, and effects cannot be found sufficient to satisfy the said warrant, the said marshal or his deputy shall and may proceed to levy and collect the sum which remains due, by distress and sale of the goods and chattels, or any personal effects, of the surety or sureties of the delinquent collector, giving notice as hereinbefore provided. And the bill of sale of the officer of any goods, chattels, or other personal property, distrained and sold as aforesaid, shall be conclusive evidence of title to the purchaser, and prima facie evidence of the right of the officer to make such sale, and of the correctness of his proceedings in selling the same. And for want of goods and chattels, or other personal effects of such collector or his sureties, sufficient to satisfy any warrant of distress, issued pursuant to the preceding section of this act, the lands and real estate of such collector and his sureties, or so much thereof as may be necessary for satisfying the said warrant, after being advertised for at least three weeks in not less than three public places in the collection district, and in one newspaper printed in the county or district, if any there be, prior to the proposed time of sale, may and shall be sold at public auction by the marshal or his deputy, who, upon such sale, shall, as such marshal or deputy marshal, make and deliver to the purchaser of the premises so sold a deed of conveyance thereof, to be executed and acknowledged in the manner and form prescribed by the laws of the State in which said lands are situated, which said deed so made shall invest the purchaser with all the title and interest of the defendant or defendants named in said warrant existing at the time of seizure thereof. And all moneys that may remain of the proceeds of such sale after satisfying the said warrant of distress, and paying the reasonable costs and charges of sale, shall be returned to the proprietor of the lands or real estate sold as aforesaid.

Penalty on collector for failing to collect, &c.

Warrant of distress to issue against his estate and that of his sureties.

Proceedings thereon.

Real estate may be seized and sold.

SEC. 26. *And be it further enacted*, That each and every collector, or his deputy, who shall exercise or be guilty of any extortion or wilful oppression, under color of this act, or shall knowingly demand other or greater sums than shall be authorized by this act, shall be liable to pay a sum not exceeding double the amount of damages accruing to the party injured, to be recovered by and for the use of the party injured, with costs of suit, and shall be dismissed from office, and be disqualified from holding such office thereafter; and each and every collector, or his deputies, shall give receipts for all sums by them collected and retained in pursuance of this act.

Penalty for extortion or wilful oppression.

SEC. 27. *And be it further enacted*, That a collector or deputy collector, assessor or assistant assessor, shall be authorized to enter, in the daytime, any brewery, distillery, manufactory, building, or place where any property, articles, or objects, subject to duty or taxation under the provisions of this act, are made, produced, or kept, within his district, so far as it

Collectors, &c. may enter any place where taxable property is kept, &c.

Penalty for refusal to admit officer;

for forcibly hindering a collector in the discharge of his duties.

[Amended, *Post*, p. 714.]

If collector is sick or disabled, deputy to act.

Notice to Secretary of the Treasury.

If collector dies, resigns, &c., deputy to act.

Collectors or deputies to collect taxes and prosecute for their recovery.

Fines, &c., how recoverable,

and to whose use.

Penalty for false swearing in any matter under this act.

may be necessary for the purpose of examining said property, articles, or objects, or inspecting the accounts required by this act from time to time to be made. And every owner of such brewery, distillery, manufactory, building, or place, or persons having the agency or superintendence of the same, who shall refuse to admit such officer, or to suffer him to examine said property, articles, or objects, or to inspect said accounts, shall, for every such refusal, forfeit and pay the sum of five hundred dollars.

SEC. 28. *And be it further enacted*, That if any person shall forcibly obstruct or hinder a collector or deputy collector in the execution of this act, or of any power and authority hereby vested in him, or shall forcibly rescue, or cause to be rescued, any property, articles, or objects, after the same shall have been seized by him, or shall attempt or endeavor so to do, the person so offending shall, for every such offence, forfeit and pay the sum of five hundred dollars.

SEC. 29. *And be it further enacted*, That in case of the sickness or temporary disability of a collector to discharge such of his duties as cannot under existing laws be discharged by a deputy, they may be devolved by him upon one of his deputies: *Provided*, That information thereof be immediately communicated to the Secretary of the Treasury, and shall not be disapproved by him: *And provided, further*, That the responsibility of the collector or his sureties to the United States shall not be affected or impaired thereby.

SEC. 30. *And be it further enacted*, That in case a collector shall die, resign, or be removed, the deputies of such collector shall continue to act until their successors are appointed; and the deputy of such collector longest in service at the time immediately preceding may and shall, until a successor shall be appointed, discharge all the duties of said collector; and for the official acts and defaults of such deputy a remedy shall be had on the official bond of the collector, as in other cases; and of two or more deputy collectors, appointed on the same day, the one residing nearest the residence of the collector at the time of his death, resignation, or removal, shall in like manner discharge the said duties until the appointment of a successor; and any bond or security taken of such deputy by such collector, pursuant to the fifth section of this act, shall be available to his heirs or representatives to indemnify them for loss or damage accruing from any act of the proper deputy so continuing or so succeeding to the duties of such collector.

SEC. 31. *And be it further enacted*, That it shall be the duty of the collectors aforesaid, or their deputies, in their respective districts, and they are hereby authorized, to collect all the duties and taxes imposed by this act, however the same may be designated, and to prosecute for the recovery of the same, and for the recovery of any sum or sums which may be forfeited by virtue of this act; and all fines, penalties, and forfeitures which may be incurred or imposed by virtue of this act, shall and may be sued for and recovered, in the name of the United States, or of the collector within whose district any such fine, penalty, or forfeiture shall have been incurred, in any proper form of action, or by any appropriate form of proceeding, before any circuit or district court of the United States for the district within which said fine, penalty, or forfeiture may have been incurred, or before any other court of competent jurisdiction; and, where not otherwise and differently provided for, one moiety thereof shall be to the use of the United States, and the other moiety thereof to the use of the person who, if a collector or deputy collector, shall first inform of the cause, matter, or thing whereby any such fine, penalty, or forfeiture was incurred.

SEC. 32. *And be it further enacted*, That if any person, in any case, matter, hearing, or other proceeding, in which an oath or affirmation shall be required to be taken or administered under and by virtue of this act, shall, upon the taking of such oath or affirmation, knowingly and willingly

swear or affirm falsely, every person so offending shall be deemed guilty of perjury, and shall, on conviction thereof, be subject to the like punishment and penalties now provided by the laws of the United States for the crime of perjury.

SEC. 33. *And be it further enacted*, That separate accounts shall be kept at the treasury of all moneys received from internal duties or taxes in each of the respective States, Territories, and collection districts; and that separate accounts shall be kept of the amount of each species of duty or tax that shall accrue, so as to exhibit, as far as may be, the amount collected from each source of revenue, with the moneys paid to the collectors and deputy collectors, and to the other officers employed in each of the respective States, Territories, and collection districts, an abstract in tabular form of which accounts it shall be the duty of the Secretary of the Treasury, annually, in the month of December, to lay before Congress.

Separate accounts to be kept of moneys from each State, &c.

SEC. 34. *And be it further enacted*, That there shall be allowed to the collectors appointed under this act, in full compensation for their services and that of their deputies in carrying this act into effect, a commission of four per centum upon the first hundred thousand dollars, and two per centum upon all sums above one hundred thousand dollars; such commissions to be computed upon the amounts by them respectively paid over and accounted for under the instructions of the Treasury Department: *Provided*, That in no case shall such commissions exceed the sum of ten thousand dollars per annum, except as hereinafter provided. And there shall be further allowed to each collector his necessary and reasonable charges for stationery and blank books used in the performance of his official duties, which, after being duly examined and certified by the Commissioner of Internal Revenue, shall be paid out of the treasury: *Provided*, That the Secretary of the Treasury be authorized to make such further allowance as may be reasonable in cases in which, from the territorial extent of the district, or from the amount of internal duties collected, it may seem just to make such allowance; but the whole compensation shall not exceed ten thousand dollars, except in collection districts embracing more than one congressional district.

Pay of collectors.

Post, p. 725.

Maximum.

Stationery, blank books, &c.

SEC. 35. *And be it further enacted*, That when any duty or tax shall have been paid by levy and distraint, any person or persons or party who may feel aggrieved thereby may apply to the assessor of the district for relief, and exhibit such evidence as he, she, or they may have of the wrong done, or supposed to have been done, and after a full investigation the assessor shall report the case, with such parts of the evidence as he may judge material, including also such as may be regarded material by the party aggrieved, to the Commissioner of Internal Revenue, who may, if it shall be made to appear to him that such duty or tax was levied or collected, in whole or in part, wrongfully or unjustly, certify the amount wrongfully and unjustly levied or collected, and the same shall be refunded and paid to the person or persons or party as aforesaid, from any moneys in the treasury not otherwise appropriated, upon the presentation of such certificate to the proper officer thereof.

Proceedings where party is aggrieved by payment of tax.

SEC. 36. *And be it further enacted*, That in all cases of distraint and sale of goods, or chattels, for non-payment of taxes provided for in this act, the bill of sale of such goods or chattels given by the officer making such sale to the purchaser thereof shall be conclusive evidence of the right of the officer to make such sale, and of the correctness of his proceedings in selling the same.

Bill of sale of goods sold for taxes to be evidence of, &c.

SEC. 37. *And be it further enacted*, That if for any cause, at any time after this act goes into operation, the laws of the United States cannot be executed in a State or Territory of the United States, or any part thereof, or within the District of Columbia, it shall be the duty of the President, and he is hereby authorized, to proceed to execute the provisions of this act within the limits of such State or Territory, or part thereof, or Dis-

If for any cause this act cannot be executed in any State, at any time, it is to be put in force as soon as possible thereafter.

tract of Columbia, so soon as the authority of the United States therein shall be reestablished, and to collect the sums which would have been due from the persons residing or holding property, goods, wares, or merchandise, object or article therein liable to any duty, license, or tax, with interest at the rate of six per centum per annum thereon from the time such duty, license, or tax ought to have been paid until paid in the manner and under the regulations prescribed in this act, so far as applicable, and where not applicable the assessment and levy shall be made and the time and manner of collection regulated by the instructions and directions of the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury.

Interest to be charged.

Officers under this act to perform duties required under act of 1861, ch. 45.

Direct tax laid on Nebraska, how to be satisfied.

Tennessee.

Spirits, ale, beer, porter.

Licenses for distilling, by whom and how granted, &c.

Bond.

Conditions.

SEC. 38. *And be it further enacted*, That the officers who may be appointed under this act, except within those districts within any State or Territory which have been or may be otherwise specially provided for by law, shall be, and hereby are, authorized, in all cases where the payment of such tax has not been assumed by the State, to perform all the duties relating to or regarding the assessment and collection of the direct tax imposed by an act entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one, or any direct tax which may be hereafter enacted: *Provided*, That the sum of nineteen thousand three hundred and twelve dollars, direct tax, laid upon the Territory of Nebraska by said act, shall be paid and satisfied by deducting said amount from the appropriation for legislative expenses of the Territory of Nebraska for the year ending thirtieth of June, eighteen hundred and sixty-three, and no further claim shall be made by said territory for legislative expenses for said year: *Provided, further*, That the State of Tennessee shall have until the first day of December next to assume the payment of her portion of said tax.

SPIRITS, ALE, BEER, AND PORTER.

SEC. 39. *And be it further enacted*, That it shall be the duty of the collectors, within their respective districts, to grant licenses for distilling, which licenses shall contain the date thereof, the sum paid, and the time when the same will expire, and shall be granted to any person, being a resident of the United States, who shall desire the same, by application, in writing, to such collector, upon payment of the sum or duty payable by this act upon each license requested. And at the time of applying for said license, and before the same is issued, the person so applying shall give bond to the United States in such sum as shall be required by the collector, and with one or more sureties, to be approved by said collector, conditioned that in case any additional still or stills, or other implements to be used as aforesaid, shall be erected by him, his agent or superintendent, he will, before using, or causing or permitting the same to be used, report in writing to the said collector the capacity thereof, and information from time to time of any change in the form, capacity, ownership, agency, or superintendence, which all or either of the said stills or other implements may undergo; and that he will, from day to day, enter, or cause to be entered, in a book to be kept for that purpose, the number of gallons of spirits that may be distilled by said still or stills, or other implements, and also of the quantities of grain or other vegetable productions, or other substances put into the mash-tub, or otherwise used by him, his agent, or superintendent, for the purpose of producing spirits, which said book shall be open at all times during the day (Sundays excepted) to the inspection of the said collector, who may make any memorandums or transcripts therefrom; and that he will render to the said collector, on the first, tenth, and twentieth days of each and every month, or within five days thereafter, during the continuance of said license, an exact account, in writing, taken from his books, of the number of gallons of spirits

distilled and sold, or removed for consumption or sale, by him, his agent, or superintendent, and the proof thereof, and also of the quantities of grain or other vegetable productions, or other substances, put into the mash-tub, or otherwise used by him, his agent or superintendent, for the purpose of producing spirits, for the period or fractional part of a month then next preceding the date of said report, which said report shall be verified by affidavit in the manner prescribed by this act; and that he will not sell or permit to be sold, or removed for consumption or sale, any spirits distilled by him under and by virtue of his said license, until the same shall have been inspected, gauged, and proved, and the quantity thereof duly entered upon his books as aforesaid; and that he will, at the time of rendering said account, pay to the said collector the duties which by this act are imposed on the spirits so distilled; and the said bond may be renewed or changed, from time to time, in regard to the amount and sureties thereof, according to the discretion of the collector.

Bond for license

may be renewed or changed.

SEC. 40. *And be it further enacted,* That the application in writing made by any person for a license for distilling, as aforesaid, shall state the place of distilling, the number and capacity of the still or stills, boiler or boilers, and the name of the person, firm, company, or corporation using the same; and any person making a false statement in either of the said particulars shall forfeit and pay the sum of one hundred dollars, to be recovered with costs of suit.

Application for license to state what.

Penalty for false statement.

SEC. 41. *And be it further enacted,* That, in addition to the duties payable for licenses herein provided, there shall be paid, on all spirits that may be distilled and sold, or removed for consumption or sale, of first proof, on and after the first day of August, eighteen hundred and sixty-two, the duty of twenty cents on each and every gallon, which shall be paid by the owner, agent, or superintendent of the still or other vessel in which the said spirituous liquors shall have been distilled; which duty shall be paid at the time of rendering the accounts of spirituous liquors so chargeable with duty, required to be rendered by this act: *Provided,* That the duty on spirituous liquors and all other spirituous beverages enumerated in this act shall be collected at no lower rate than the basis of first proof, and shall be increased in proportion for any greater strength than the strength of proof.

Duties on spirits.

First proof.

Duty, when payable.

No lower rate than basis of first proof.

SEC. 42. *And be it further enacted,* That the term first proof used in this act and in section six of the act of March second, eighteen hundred and sixty-one, entitled "An act to provide for the payment of outstanding treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes," shall be construed, and is hereby declared to mean, that proof of a liquor which corresponds to fifty degrees of Tralles' centesimal hydrometer, adopted by regulation of the Treasury Department, of August twelfth, eighteen hundred and fifty, at the temperature of sixty degrees of Fahrenheit's thermometer; and that in reducing the temperatures to the standard of sixty, and in levying duties on liquors above and below proof, the table of commercial values, contained in the manual for inspectors of spirits, prepared by Professor McCulloh, under the superintendence of Professor Bache, and adopted by the Treasury Department, shall be used and taken as giving the proportions of absolute alcohol in the liquids gauged and proved according to which duties shall be levied.

Meaning of "first proof."

1861, c. 68.

SEC. 43. *And be it further enacted,* That there shall be designated by the collector in every assessment district where the same may be necessary one or more inspectors, who shall take an oath faithfully to perform their duties in such form as the Commissioner of Internal Revenue shall prescribe, and who shall be entitled to receive such fees as may be fixed and prescribed by said commissioner. And all spirits distilled as aforesaid by any person licensed as aforesaid shall, before the same is used, or removed for consumption or sale, be inspected, gauged, and proved by

Collectors to designate inspectors.

Duties and pay.

Spirits to be inspected, gauged, &c.

some person so as aforesaid designated for the performance of such duties, and who shall mark upon the cask or other package containing such spirits, in a manner to be prescribed by said commissioner, the quantity and proof of the contents of such cask or package, with the date of inspection and the name of the inspector. And any person who shall attempt fraudulently to evade the payment of duties upon any spirits distilled as aforesaid, by changing in any manner the mark upon any such cask or package, shall forfeit the sum of five hundred dollars for each cask or package so altered or changed, to be recovered as hereinbefore provided. And the fees of such inspector shall in all cases be paid by the owner of the spirits so inspected, gauged, and proved. And any such inspector who shall knowingly put upon any such cask or package any false or fraudulent mark shall be liable to the same penalty hereinbefore provided for each cask or package so fraudulently marked. And any person who shall use any cask or package so marked, for the purpose of selling spirits of a quality different from that so inspected, shall be subject to a like penalty for each cask or package so used.

Penalty for attempting to evade duties by changing marks.

Penalty for fraudulent marking, &c.; for using marked casks, &c. [Amended, Post, p 714.]

Owners of distillery may erect warehouse for bonded warehouse. [Amended, Post, p. 714.]

Duty on spirits so stored.

Owners, &c., of stills, &c., to keep account of spirits distilled, &c.;

SEC. 44. *And be it further enacted,* That the owner or owners of any distillery may erect, at his or their own expense, a warehouse of iron, stone, or brick, with metal or other fire-proof roof, to be contiguous to such distillery; and such warehouse, when approved by the collector, is hereby declared a bonded warehouse of the United States, and shall be used only for storing distilled spirits, and to be under the custody of the collector or his deputy. And the duty on the spirits stored in such warehouse shall be paid when and as it is sold or removed from such warehouse for sale.

SEC. 45. *And be it further enacted,* That every person who, on the first day of August, eighteen hundred and sixty-two, shall be the owner of any still, boiler, or other vessel, used or intended to be used for the purpose of distilling spirituous liquors, as hereinbefore provided, or who shall have such still, boiler, or other vessel under his superintendence, either as agent for the owner or on his own account, and every person who, after said day, shall use or intend to use any still, boiler, or other vessel, as aforesaid, either as owner, agent, or otherwise, shall from day to day make true and exact entry, or cause to be entered, in a book to be kept by him for that purpose, the number of gallons of spirituous liquors distilled by him, and also the number of gallons sold, or removed for consumption or sale, and the proof thereof, which book shall always be open in the daytime, Sundays excepted, for the inspection of the said collector, who may take any minutes, memorandums, or transcripts thereof, and shall render to said collector, on the first, tenth, and twentieth days of each and every month in each year, or within five days thereafter, a general account in writing, taken from his books, of the number of gallons of spirituous liquors distilled and sold, or removed for consumption or sale, and the proof thereof, for the period or fractional part of a month preceding said day, or for such portion thereof as may have elapsed from the date of said entry and report to the said day which shall next ensue; and shall also keep a book, or books, in a form to be prescribed by the Commissioner of Internal Revenue, and to be open at all seasonable hours for inspection by the collector and assessor of the district, wherein shall be entered, from day to day, the quantities of grain, or other vegetable productions, or other substances put into the mash-tub by him, his agent, or superintendent, for the purpose of producing spirits; and shall verify, or cause to be verified, the said entries, reports, books, and general accounts, by oath or affirmation, to be taken before the collector or some other officer authorized by the laws of the State to administer the same according to the form required by this act, where the same is prescribed; and shall also pay to the collector the duties which by this act ought to be paid on the spirituous liquors so distilled and sold, or removed for con-

to render accounts to collector three times a month;

to keep account of grain, &c., used for distillation;

to verify accounts by oath;

to pay duties.

sumption or sale, and in said accounts mentioned, at the time of rendering an account thereof.

SEC. 46. *And be it further enacted*, That the collector of any district may grant a permit to the owner or owners of any distillery within his district to send or ship any spirits, the product of said distillery, after the quantity and proof thereof shall have been ascertained by inspection according to the provisions of this act, to any place without said district and within the United States; and in such case the bill of lading or receipt (which shall be in such form as the Commissioner of Internal Revenue may direct) of the same shall be taken in the name of the collector of the district in which the distillery is situate, and the spirits aforesaid shall be consigned, in such bill of lading or receipt, to the collector of the district in which the place is situate, whither the spirits is sent or shipped, and the amount of duties upon said spirits shall be stated in the receipt; and upon the arrival of the spirits, and upon the demand of the collector aforesaid, the agent of the distillery (and the name of the agent, for the convenience of the collector, shall always appear in the bill of lading or receipt) shall pay the duties upon the said spirits, with the expense of freight, and every other expense which has accrued thereupon; and the said collector, upon the payment of the duties aforesaid, shall deliver the bill of lading or receipt and the spirits to the agent of the said distillery; and if the duties are not paid as aforesaid, then the said spirits shall be stored at the risk and cost of the owner or agent thereof, who shall pay an addition of ten per centum thereupon; and all the general provisions of this act, in reference to liens, penalties, and forfeitures, as also in reference to the collection, shall apply thereto, and be enforced by the collector of the district in which the spirits may be: *Provided*, That no permit shall be granted, under this section, for a quantity less than fifty barrels: *And provided, further*, That the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, may make such further regulations, and require such further securities, as he may deem proper in order to protect the revenue, and to carry out the spirit and intent of this section.

Collector may permit owners to send or ship spirits out of district, &c.

Bill of lading in such case.

What to appear in bill.

Duties, how collected.

Permits to be for not less than fifty barrels.

SEC. 47. *And be it further enacted*, That distilled spirits may be removed from the place of manufacture for the purpose of being exported, or for the purpose of being redistilled for export, and refined coal oil may be removed for the purpose of being exported, after the quantity of spirits or oil so removed shall have been ascertained by inspection, according to the provisions of this act, upon and with the written permission of the collector or deputy collector of the district, without payment of the duties thereon previous to such removal, the owner thereof having first given bond to the United States, with sufficient sureties, in the manner and form and under regulations prescribed by the Commissioner of Internal Revenue, and in at least double the amount of said duties, to export the said spirits or oil or pay the duties thereon within such time as may be prescribed by the Commissioner, which time shall be stated in said bond: *Provided*, That any person desiring to give such bond shall first make oath, before the collector or deputy collector to whom he may apply for a permit to remove any such spirits or oil, in manner and form to be prescribed by said Commissioner, that he intends to export such liquors or oil, and that he desires to obtain said permit for no other purpose whatever; and any collector or deputy collector is hereby authorized to administer such oath: *And provided, further*, That no such removal shall be permitted where the amount of duties does not exceed the sum of three hundred dollars, nor in any case where the person desiring such permission has failed to perform the obligation of any bond previously given to the United States for the removal of any such articles, until the same shall have been fully kept and performed. And the collector of the district in which any such bond may be given is authorized to cancel said bond on payment of

Removal of distilled spirits and refined coal oil.

Bond.

Condition.

Applicant for bond to make oath.

In what cases removal not permitted.

When bond may be cancelled.

Proceedings in case of breach of condition of bond.

said duties, with interest thereon, at a rate to be fixed by said Commissioner, and all proper charges, if said liquors or oil shall not have been exported, or upon satisfactory proof that the same have been duly exported as aforesaid. And in case of the breach of the obligation of any such bond, the same shall be forthwith forwarded by the collector of the district to the Commissioner of Internal Revenue, to be by him placed in the hands of the First Comptroller of the Treasury, who shall cause the same proceedings to be taken thereon, for the purpose of collecting the duties, interest, and charges aforesaid, as are provided in this act in case of a delinquent collector.

Entries in books of distiller to be verified three times each month, by oath.

SEC. 48. *And be it further enacted*, That the entries made in the books of the distiller, required to be kept in the foregoing section, shall, on the first, tenth, and twentieth days of each and every month, or within five days thereafter, be verified by oath or affirmation, to be taken as aforesaid, of the person or persons by whom such entries shall have been made, which oath or affirmation shall be certified at the end of such entries by the collector or officer administering the same, and shall be, in substance, as follows: "I do swear (or affirm) that the foregoing entries were made by me on the respective days specified, and that they state, according to the best of my knowledge and belief, the whole quantity of spirituous liquors distilled and sold, or removed for consumption or sale, at the distillery owned by _____, in the county of _____, amounting to _____ gallons, according to proof prescribed by the laws of the United States."

Oath where original entries are not made by owner.

SEC. 49. *And be it further enacted*, That the owner, agent, or superintendent aforesaid, shall, in case the original entries required to be made in his books by this act shall not have been made by himself, subjoin to the oath or affirmation of the person by whom they were made the following oath or affirmation, to be taken as aforesaid: "I do swear (or affirm) that, to the best of my knowledge and belief, the foregoing entries are just and true, and that I have taken all the means in my power to make them so."

Duties on beer, ale, &c.,

SEC. 50. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, there shall be paid on all beer, lager beer, ale, porter, and other similar fermented liquors, by whatever name such liquors may be called, a duty of one dollar for each and every barrel containing not more than thirty-one gallons, and at a like rate for any other quantity or for fractional parts of a barrel, which shall be brewed or manufactured and sold or removed for consumption or sale within the United States or the territories thereof, or within the District of Columbia, after that day; which duty shall be paid by the owner, agent, or superintendent of the brewery or premises in which such fermented liquors shall be made, and shall be paid at the time of rendering the accounts of such fermented liquors so chargeable with duty, as required to be rendered by the following section of this act: *Provided*, That fractional parts of a barrel shall be halves, quarters, eighths, and sixteenths, and any fractional part containing less than one-sixteenth shall be accounted one-sixteenth; more than one-sixteenth, and not more than one-eighth, shall be accounted one-eighth; more than one-eighth, and not more than one-quarter, shall be accounted one-quarter; more than one-quarter, and not more than one-half, shall be accounted one-half; more than one-half shall be accounted one barrel.

Post, p. 723.

to be paid by whom.

Owners of breweries for making fermented liquors to make certain entries in books;

SEC. 51. *And be it further enacted*, That every person who, on said first day of August, eighteen hundred and sixty-two, shall be the owner or occupant of any brewery or premises used or intended to be used for the purpose of brewing or making such fermented liquors, or who shall have such premises under his control or superintendence, as agent for the owner or occupant, or shall have in his possession or custody any vessel or vessels intended to be used on said premises in the manufacture of beer, lager beer, ale, porter, or other similar fermented liquors, either as owner, agent, or otherwise, shall, from day to day, enter or cause to be entered in

a book to be kept by him for that purpose, and which shall be open at all times, except Sundays, between the rising and setting of the sun, for the inspection of said collector, who may take any minutes or memorandums or transcripts thereof, the quantities of grain, or other vegetable productions or other substances, put into the mash-tub, or otherwise used for the purpose of producing beer, or for any other purpose, and the quantity or number of barrels and fractional parts of barrels of fermented liquors made and sold, or removed for consumption or sale, keeping separate account of the several kinds and descriptions; and shall render to said collector, on the first day of each month in each year, or within ten days thereafter, a general account, in writing, taken from his books, of the quantities of grain, or other vegetable productions or other substances, put into the mash-tub, or otherwise used, for the purpose of producing beer, or for any other purpose, and the quantity or number of barrels and fractional parts of barrels of each kind of fermented liquors made and sold, or removed for consumption or sale, for one month preceding said day; and shall verify, or cause to be verified, the said entries, reports, books, and general accounts, on oath or affirmation, to be taken before the collector or some officer authorized by the laws of the State to administer the same according to the form required by this act where the same is prescribed; and shall also pay to the said collector the duties which, by this act, ought to be paid on the liquor made and sold, or removed for consumption or sale, and in the said accounts mentioned, at the time of rendering the account thereof, as aforesaid. But where the manufacturer of any beer, lager beer, or ale, manufactures the same in one collection district, and owns or hires a depot or warehouse for the storage and sale of such beer, lager beer, or ale in another collection district, he may, instead of paying to the collector of the district where the same was manufactured the duties chargeable thereon, present to such collector or his deputy an invoice of the quantity or number of barrels about to be removed for the purpose of storage and sale, specifying in such invoice, with reasonable certainty, the depot or warehouse in which he intends to place such beer, lager beer, or ale; and thereupon such collector or deputy shall indorse on such invoice his permission for such removal, and shall at the same time transmit to the collector of the district in which such depot or warehouse is situated a duplicate of such invoice; and thereafter the manufacturer of the beer, lager beer, or ale so removed shall render the same account, and pay the same duties, and be subject to the same liabilities and penalties as if the beer, lager beer, or ale so removed had been manufactured in the district. The Commissioner of Internal Revenue may prescribe such rules as he may deem necessary for the purpose of carrying the provisions of this section into effect.

Owners of breweries to render accounts to collectors monthly;

Post, p. 723.

to verify accounts on oath.

Provision where a person manufactures in one district and has warehouse in another.

SEC. 52. *And be it further enacted*, That the entries made in the books required to be kept by the foregoing section shall, on said first day of each and every month, or within ten days thereafter, be verified by the oath or affirmation, to be taken as aforesaid, of the person or persons by whom such entries shall have been made, which oath or affirmation shall be certified at the end of such entries by the collector or officer administering the same, and shall be, in substance, as follows:

Entries in books to be verified on oath.

“I do swear (or affirm) that the foregoing entries were made by me on the respective days specified, and that they state, according to the best of my knowledge and belief, the whole quantity of fermented liquors either brewed or brewed and sold at the brewery owned by —, in the county of —, amounting to — barrels.”

Form of oath.

SEC. 53. *And be it further enacted*, That the owner, agent, or superintendent aforesaid, shall, in case the original entries required to be made in his books shall not have been made by himself, subjoin to the oath or affirmation the following oath or affirmation, to be taken as aforesaid:

Oath where original entries are not made by owner.

“I do swear (or affirm) that, to the best of my knowledge and belief,

the foregoing entries are just and true, and that I have taken all the means in my power to make them so."

Penalty on owner, &c., for neglecting to make true entry, &c.

SEC. 54. *And be it further enacted*, That the owner, agent, or superintendent of any vessel or vessels used in making fermented liquors, or of any still, boiler, or other vessel used in the distillation of spirits on which duty is payable, who shall neglect or refuse to make true and exact entry and report of the same, or to do, or cause to be done, any of the things by this act required to be done as aforesaid, shall forfeit for every such neglect or refusal all the liquors and spirits made by or for him, and all the vessels used in making the same, and the stills, boilers, and other vessels used in distillation, together with the sum of five hundred dollars, to be recovered with costs of suit; which said liquors or spirits, with the vessels containing the same, with all the vessels used in making the same, may be seized by any collector of internal duties, and held by him until a decision shall be had thereon according to law: *Provided*, That such seizure be made within thirty days after the cause for the same may have occurred, and that proceedings to enforce said forfeiture shall have been commenced by such collector within twenty days after the seizure thereof. And the proceedings to enforce said forfeiture of said property shall be in the nature of a proceeding in rem, in the circuit or district court of the United States for the district where such seizure is made, or in any other court of competent jurisdiction.

Stills, liquors, &c., to be forfeited.

Collector may seize stills, &c.

Proceedings to enforce forfeiture.

If duties on liquors are not paid in time, ten per cent. additional to be charged.

[Amended, *Post*, p. 714.]
Duties, &c., a lien.

SEC. 55. *And be it further enacted*, That in all cases in which the duties aforesaid, payable on spirituous liquors distilled and sold, or removed for consumption or sale, or beer, lager beer, ale, porter, and other similar fermented liquors, shall not be paid at the time of rendering the account of the same, as herein required, the person or persons chargeable therewith shall pay, in addition, ten per centum on the amount thereof; and, until such duties with such addition shall be paid, they shall be and remain a lien upon the distillery where such liquors have been distilled, or the brewery where such liquors have been brewed, and upon the stills, boilers, vats, and all other implements thereto belonging, until the same shall have been paid; and in case of refusal or neglect to pay said duties, with the addition, within ten days after the same shall have become payable, the amount thereof may be recovered by distraint and sale of the goods, chattels, and effects of the delinquent; and, in case of such distraint, it shall be the duty of the officer charged with the collection to make, or cause to be made, an account of the goods, chattels, or effects which may be distrained, a copy of which, signed by the officer making such distraint, shall be left with the owner or possessor of such goods, chattels, or effects, at his, her, or their dwelling, with a note of the sum demanded, and the time and place of sale; and said officer shall forthwith cause a notification to be published in some newspaper, if any there be, within the county, and publicly posted up at the post-office nearest to the residence of the person whose property shall be distrained, or at the court-house of the same county, if not more than ten miles distant, which notice shall specify the articles distrained, and the time and place proposed for the sale thereof, which time shall not be less than ten days from the date of such notification, and the place proposed for sale not more than five miles distant from the place of making such distraint: *Provided*, That in every case of distraint for the payment of the duties aforesaid, the goods, chattels, or effects so distrained may and shall be restored to the owner or possessor if, prior to the sale thereof, payment or tender thereof shall be made to the proper officer charged with the collection, of the full amount demanded, together with such fee for levying and advertising, and such sum for the necessary and reasonable expenses of removing and keeping the goods, chattels, and effects so distrained as may be allowed in like cases by the laws or practice of the State or Territory wherein the distraint shall have been made; but in case of non-payment or neglect to

Upon refusal or neglect to pay duties, goods may be seized and sold.

Proceedings in such case.

Notice.

Time and place of sale.

Owner may redeem.

tender as aforesaid, the said officer shall proceed to sell the said goods, chattels, and effects at public auction, after due notice of the time and place of sale, and may and shall retain from the proceeds of such sale the amount demandable for the use of the United States, with the said necessary and reasonable expenses of said distraint and sale, as aforesaid, and a commission of five per centum thereon for his own use; rendering the overplus, if any there be, to the person whose goods, chattels, and effects shall have been distrained.

Sale at public auction.

SEC. 56. *And be it further enacted*, That every person licensed as aforesaid to distil spirituous liquors, or licensed as a brewer, shall, once in each month, upon the request of the assessor or assistant assessor for the district in which his business as a distiller or brewer may be carried on, respectively, furnish the said assessor or assistant assessor with an abstract of the entries upon his books, herein provided to be made, showing the amount of spirituous liquor distilled and sold, or removed for consumption or sale, or of beer, lager beer, ale, porter, or other fermented liquor made and sold, or removed for consumption or sale, during the preceding month, respectively; the truth and correctness of which abstract shall be verified by the oath of the party so furnishing the same. And the said assessor or assistant assessor shall have the right to examine the books of such person for the purpose of ascertaining the correctness of such abstract. And for any neglect to furnish such abstract when requested, or refusal to furnish an examination of the books as aforesaid, the person so neglecting shall forfeit the sum of five hundred dollars.

Persons licensed as distillers or brewers, to furnish monthly to assessors, amount of liquors, &c.

LICENSES.

SEC. 57. *And be it further enacted*, That from and after the first day of August, eighteen hundred and sixty-two, no person, association of persons, or corporation, shall be engaged in, prosecute, or carry on, either of the trades or occupations mentioned in section sixty-four of this act, until he or they shall have obtained a license therefor in the manner hereinafter provided.

Licenses.
Post, p. 724.
Persons and corporations not to carry on certain trades or business unless licensed.

SEC. 58. *And be it further enacted*, That every person, association of persons, partnership or corporation, desiring to obtain a license to engage in any of the trades or occupations named in the sixty-fourth section of this act, shall register with the assistant assessor of the assessment district in which he shall design to carry on such trade or occupation, first, his or their name or style; and in case of an association or partnership, the names of the several persons constituting such association or partnership and their places of residence; second, the trade or occupation for which a license is desired; third, the place where such trade or occupation is to be carried on; fourth, if a rectifier, the number of barrels he designs to rectify; if a peddler, whether he designs to travel on foot, or with one, two, or more horses; if an inn-keeper, the yearly rental of the house and property to be occupied for said purpose; or, if not rented, the assistant assessor shall value the same. All of which facts shall be returned duly certified by such assistant assessor, both to the assessor and collector of the district; and thereupon, upon payment to the collector or deputy collector of the district the amount as hereinafter provided, such collector or deputy collector shall make out and deliver a license for such trade or occupation, which license shall continue in force for one year, at the place or premises described therein.

Persons, &c., desiring licenses to register with assistant assessor.
Name, &c.
Place.
Trade, &c.
If rectifier, peddler, inn-keeper.

License.

SEC. 59. *And be it further enacted*, That if any person or persons shall exercise or carry on any trade or business hereinafter mentioned for the exercising or carrying on of which trade or business a license is required by this act, without taking out such license as is in that behalf required, he, she, or they shall, for every such offence, respectively, forfeit a penalty equal to three times the amount of the duty or sum of money imposed for such license, one moiety thereof to the use of the United States, the

Penalty for carrying on such trade without license.

Post, p. 727.

other moiety to the use of the person who, if a collector, shall first discover, and if other than a collector, shall first give information of the fact whereby said forfeiture was incurred.

License to state what.

SEC. 60. *And be it further enacted*, That in every license to be taken out under or by authority of this act shall be contained and set forth the purpose, trade, or business for which such license is granted, and the true name and place of abode of the person or persons taking out the same; if for a rectifier, the quantity of spirits authorized to be rectified; if by a peddler, whether authorized to travel on foot, or with one, or two, or more horses, the time for which such license is to run, and the true date or time of granting such license, and (except in the case of auctioneers and peddlers) the place at which the trade or business for which such license is granted shall be carried on. *Provided*, That a license granted under this act shall not authorize the person or persons, association or corporation mentioned therein, to exercise or carry on the trade or business specified in such license in any other place than that mentioned therein, but nothing herein contained shall prohibit the storage of goods, wares, or merchandise in other places than the place of business.

License good only for the place specified therein.

If any person, &c., carries on more than one trade, &c., he must have license for each.

Auctioneers may not sell goods at private sale.

Post, p. 727.

Penalty.

SEC. 61. *And be it further enacted*, That in every case where more than one of the pursuits, employments, or occupations, hereinafter described, shall be pursued or carried on in the same place by the same person at the same time, except as therein mentioned, license must be taken out for each according to the rates severally prescribed.

SEC. 62. *And be it further enacted*, That no auctioneer shall be authorized by virtue of his license as such auctioneer to sell any goods or other property at private sale; and if any such person shall sell any such goods or commodities, as aforesaid, otherwise than by auction, without having taken out such license as aforesaid for that purpose, he or she shall be subject and liable to the penalty in that behalf imposed upon persons dealing in or retailing, trading, or selling any such goods or commodities without license, notwithstanding any license to him or her before granted, as aforesaid, for the purpose of exercising or carrying on the trade or business of an auctioneer, or selling any goods or chattels, tenements, or hereditaments by auction, anything herein contained to the contrary notwithstanding: *Provided, always*, That where such goods or commodities as aforesaid are the property of any person or persons duly licensed to deal in or retail, or trade in, or sell the same, such person or persons having made lawful entry of his, her, or their house or premises for such purpose, it shall and may be lawful for any person exercising or carrying on the trade or business of an auctioneer, or selling any goods or chattels, lands, tenements, or hereditaments, by auction as aforesaid, being duly licensed for that purpose, to sell such goods or commodities as aforesaid, at auction, for and on behalf of such person or persons, and upon his, her, or their entered house or premises, without taking out a separate license for such sale. The provisions of this section shall not apply to judicial or executive officers making auction sales by virtue of any judgment or decree of any court, nor public sales made by executors and administrators.

This section not to apply to judicial, &c., sales.

Privileges of the license may be transferred in certain cases.

Post, p. 727.

SEC. 63. *And be it further enacted*, That upon the death of any person or persons licensed under or by virtue of this act, or upon the removal of any such person or persons from the house or premises at which he, she, or they were authorized by such license to exercise or carry on the trade or business mentioned in such license, it shall and may be lawful for the person or persons authorized to grant licenses to authorize and empower, by indorsement on such license, or otherwise, as the Commissioner of Internal Revenue shall direct, the executors or administrators, or the wife or child of such deceased person, or the assignee or assigns of such person or persons so removing as aforesaid, who shall be possessed of and occupy the house or premises before used for such purpose as aforesaid, in like

manner to exercise or carry on the same trade or business mentioned in such license, in or upon the same house or premises at which such person or persons as aforesaid deceased, or removing as before mentioned, by virtue of such license to him, her, or them, in that behalf granted, before exercised or carried on such trade or business for or during the residue of the term for which such license was originally granted, without taking out any fresh license or payment of any additional duty, or any fee thereupon for the residue of such term, and until expiration thereof: *Provided, always,* That a fresh entry of the premises at which such trade or business shall continue to be so exercised or carried on as aforesaid shall thereupon be made by and in the name or names of the person or persons to whom such authority as aforesaid shall be granted.

SEC. 64. *And be it further enacted,* That on and after the first day of August, eighteen hundred and sixty-two, for each license granted the sum herewith stated shall be respectively and annually paid. Any number of persons carrying on such business in copartnership may transact such business at such place under such license, and not otherwise.

Sums to be paid for license by [Amended, *Post*, pp. 714-716.]

1. Bankers shall pay one hundred dollars for each license. Every person shall be deemed a banker within the meaning of this act who keeps a place of business where credits are opened in favor of any person, firm, or corporation, by the deposit or collection of money or currency, and the same, or any part thereof, shall be paid out or remitted upon the draft, check, or order of such creditor, but not to include incorporated banks or other banks legally authorized to issue notes as circulation, nor agents for the sale of merchandise for account of producers or manufacturers.

Bankers.

2. Auctioneers shall pay twenty dollars for each license. Every person shall be deemed an auctioneer within the meaning of this act whose occupation it is to offer property for sale to the highest or best bidder.

Auctioneers. *Post*, p. 727.

3. Wholesale dealers in liquors of any and every description, including distilled spirits, fermented liquors, and wines of all kinds, shall pay one hundred dollars for each license. Every person, other than the distiller, or brewer, who shall sell, or offer for sale, any such liquors or wines in quantities of more than three gallons at one time, to the same purchaser, shall be regarded as a wholesale dealer in liquors within the meaning of this act.

Wholesale dealers in liquors.

Post, p. 716.

4. Retail dealers in liquors, including distilled spirits, fermented liquors, and wines of every description, shall pay twenty dollars for each license. Every person who shall sell or offer for sale such liquors in less quantities than three gallons at one time, to the same purchaser, shall be regarded as a retail dealer in liquors under this act. But this shall not authorize any spirits, liquors, wines, or malt liquors, to be drunk on the premises.

Retail dealers in liquors, &c.

Post, p. 716.

5. Retail dealers shall pay ten dollars for each license. Every person whose business or occupation is to sell or offer to sell groceries, or any goods, wares, or merchandise, or foreign or domestic production, in less quantities than a whole original piece or package at one time, to the same person, (not including wines, spirituous or malt liquors, but not excluding drugs, medicines, cigars, snuff or tobacco,) shall be regarded as a retail dealer under this act.

Retail dealers.

Post, p. 715.

6. Wholesale dealers shall pay fifty dollars for each license. Every person whose business or occupation is to sell, or offer to sell, groceries, or any goods, wares, or merchandise of foreign or domestic production, by one or more original package or piece at one time, to the same purchaser, not including wines, spirituous or malt liquors, shall be deemed a wholesale dealer under this act; but having taken out a license as a wholesale dealer, such person may also sell, as aforesaid, as a retailer.

Wholesale dealers.

Post, pp. 715, 716.

7. Pawnbrokers shall pay fifty dollars for each license. Every person whose business or occupation is to take or receive, by way of pledge, pawn, or exchange, any goods, wares, or merchandise, or any kind of per-

Pawnbrokers.

Sums to be
paid for license
by
Rectifiers.

sonal property whatever, for the repayment or security of money lent thereon, shall be deemed a pawnbroker under this act.

8. Rectifiers shall pay twenty-five dollars for each license to rectify any quantity of spirituous liquors, not exceeding five hundred barrels or casks, containing not more than forty gallons to each barrel or cask of liquor so rectified; and twenty-five dollars additional for each additional five hundred such barrels, or any fractional part thereof. Every person who rectifies, purifies, or refines spirituous liquors or wines by any process, or mixes distilled spirits, whiskey, brandy, gin, or wine, with any other materials for sale under the name of whiskey, rum, brandy, gin, wine, or any other name or names, shall be regarded as a rectifier under this act.

Distillers.

9. Distillers shall pay fifty dollars for each license, and every person or copartnership who distils or manufactures spirituous liquors for sale, shall be deemed a distiller under this act: *Provided*, That any person or copartnership distilling or manufacturing less than three hundred barrels per year shall pay twenty-five dollars for a license. *And provided further*, That no license shall be required for any still, stills, or other apparatus used by druggists and chemists for the recovery of alcohol for pharmaceutical and chemical purposes which has been used in those processes. *And provided further*, That distillers of apples and peaches, distilling or manufacturing less than one hundred and fifty barrels per year from the same, shall pay twelve and one-half dollars for a license for that purpose, and for a greater quantity as other distillers.

Brewers.

10. Brewers shall pay fifty dollars for each license. Every person who manufactures fermented liquors of any name or description, for sale, from malt, wholly or in part, shall be deemed a brewer under this act: *Provided*, That any person who manufactures less than five hundred barrels per year shall pay the sum of twenty-five dollars for a license.

Hotels, inns,
taverns.

11. Hotels, inns, and taverns shall be classified and rated according to the yearly rental, or, if not rented, according to the estimated yearly rental of the house and property intended to be occupied for said purposes, as follows, to wit: All cases where the rent or the valuation of the yearly rental of said house and property shall be ten thousand dollars or more shall constitute the first class, and shall pay two hundred dollars for each license; where the rent or the valuation of the yearly rental shall be five thousand dollars and less than ten thousand dollars, the second class, and shall pay one hundred dollars for each license; where the rent or the valuation of the yearly rental shall be twenty-five hundred dollars and less than five thousand dollars, the third class, and shall pay seventy-five dollars for each license; where the rent or the valuation of the yearly rental shall be one thousand dollars and less than twenty-five hundred dollars, the fourth class, and shall pay fifty dollars for each license; where the rent or the valuation of the yearly rental shall be five hundred dollars and less than one thousand dollars, the fifth class, and shall pay twenty-five dollars for each license; where the rent or the valuation of the yearly rental shall be three hundred dollars and less than five hundred dollars, the sixth class, and shall pay fifteen dollars for each license; where the rent or the valuation of the yearly rental shall be one hundred dollars and less than three hundred dollars, the seventh class, and shall pay ten dollars for each license; where the rent or the valuation of the yearly rental shall be less than one hundred dollars, the eighth class, and shall pay five dollars for each license. Every place where food and lodging are provided for and furnished to travellers and sojourners, in view of payment therefor, shall be regarded as a hotel, inn, or tavern under this act. All steamers and vessels upon waters of the United States, on board of which passengers or travellers are provided with food or lodging, shall be required to take out a license of the fifth class, as aforesaid, under this act. The rental or estimated rental shall be fixed

First class.

Second class.

Third class.

Fourth class.

Fifth class.

Sixth class.

Seventh class.

Eighth class.

Steamers.

and established by the assessor of the proper district at its proper value, but at not less than the actual rent agreed on by the parties: *Provided*, That if there be any fraud or collusion in the return of actual rent to the assessor, there shall be a penalty equal to double the amount of licenses required by this section, to be collected as other penalties under this act are collected.

Penalty for fraud, &c., in return of actual rent.

12. Eating-houses shall pay ten dollars for each license. Every place where food or refreshments of any kind are provided for casual visitors and sold for consumption therein, shall be regarded as an eating-house under this act. But the keeper of any eating-house having taken out a license therefor shall not be required to take out a license as a confectioner, anything in this act to the contrary notwithstanding.

Sums to be paid for license by eating-houses

13. Brokers shall pay fifty dollars for each license. Any person whose business is to purchase or sell stocks, coined money, bank-notes, or other securities for themselves or others, or who deals in exchanges relating to money, shall be regarded a broker under this act.

Brokers.

14. Commercial brokers shall pay fifty dollars for each license. Any person or firm, except one holding a license as wholesale dealer or banker, whose business it is, as the agent of others, to purchase or sell goods, or seek orders therefor, in original or unbroken packages or produce, or to manage business matters for the owners of vessels, or for the shippers or consignors of freight carried by vessels, or whose business it is to purchase, rent, or sell real estate for others, shall be regarded a commercial broker under this act.

Commercial brokers.

15. Land warrant brokers shall pay twenty-five dollars for each license. Any person shall be regarded as a land warrant broker within the meaning of this act who makes a business of buying and selling land warrants, and of furnishing them to settlers or other persons under contracts to have liens upon the land procured by means of them according to the value agreed on for the warrants at the time they are furnished.

Land warrant brokers.

16. Tobacconists shall pay ten dollars for each license. Any person whose business it is to sell, at retail, cigars, snuff, or tobacco in any form, shall be regarded a tobacconist under this act. But wholesale and retail dealers, and keepers of hotels, inns, taverns, having taken out a license therefor, shall not be required to take out a license as tobacconists, anything in this act to the contrary notwithstanding.

Tobacconists.

Post, p. 714.

17. Theatres shall pay one hundred dollars for each license. Every edifice erected for the purpose of dramatic or operatic representations, plays, or performances, and not including halls rented or used occasionally for concerts or theatrical representations, shall be regarded as a theatre under this act.

Theatres.

18. Circuses shall pay fifty dollars for each license. Every building, tent, space, or area where feats of horsemanship or acrobatic sports are exhibited, shall be regarded as a circus under this act.

Circuses.

19. Jugglers shall pay for each license twenty dollars. Every person who performs by sleight of hand shall be regarded as a juggler under this act. The proprietors or agents of all other public exhibitions or shows for money, not enumerated in this section, shall pay for each license ten dollars: *Provided*, That no license procured in one State shall be held to authorize exhibitions in another State; and but one license shall be required under this act to authorize exhibitions within any one State.

Jugglers.

20. Bowling-alleys and billiard-rooms shall pay according to the number of alleys or tables belonging to or used in the building or place to be licensed. When not exceeding one alley or table, five dollars for each license; and when exceeding one alley or table, five dollars for each additional alley or table. Every place or building where bowls are thrown or billiards played, and open to the public with or without price, shall be regarded as a bowling-alley or billiard-room, respectively, under this act.

Bowling-alleys and billiard-rooms.

21. Confectioners shall pay ten dollars for each license. Every per-

Confectioners.

- Sums to be paid for license by son who sells at retail confectionery, sweetmeats, comfits, or other confections, in any building, shall be regarded as a confectioner under this act. But wholesale and retail dealers having taken out a license therefor, shall not be required to take out a license as confectioner, anything in this act to the contrary notwithstanding.
- Horse-dealers. 22. Horse-dealers shall pay for each license the sum of ten dollars. Any person whose business it is to buy and sell horses or mules shall be regarded a horse-dealer under this act: *Provided*, That if such horse-dealer shall have taken out a license as a livery-stable keeper no new license shall be required.
- Livery-stable keepers. 23. Livery-stable keepers shall pay ten dollars for each license. Any person whose occupation or business is to keep horses for hire or to let shall be regarded as a livery-stable keeper under this act.
- Cattle brokers. 24. Cattle brokers shall pay for each license the sum of ten dollars. Any person whose business it is to buy and sell and deal in cattle, hogs, or sheep, shall be considered as a cattle broker.
- Tallow-chandlers and soap-makers. 25. Tallow-chandlers and soap-makers shall pay for each license the sum of ten dollars. Any person whose business it is to make or manufacture candles or soap shall be regarded a tallow-chandler and soap-maker under this act.
- Coal-oil distillers. 26. Coal-oil distillers shall pay for each license the sum of fifty dollars. Any person who shall refine, produce, or distil crude petroleum or rock oil, or crude coal oil, or crude oil made of asphaltum, shale, peat, or other bituminous substances, shall be regarded a coal-oil distiller under this act.
- Peddlers. 27. Peddlers shall be classified and rated as follows, to wit: when travelling with more than two horses, the first class, and shall pay twenty dollars for each license; when travelling with two horses, the second class, and shall pay fifteen dollars for each license; when travelling with one horse, the third class, and shall pay ten dollars for each license; when travelling on foot, the fourth class, and shall pay five dollars for each license. Any person, except persons peddling newspapers, bibles, or religious tracts, who sells or offers to sell, at retail, goods, wares, or other commodities, travelling from place to place, in the street, or through different parts of the country, shall be regarded a peddler under this act: *Provided*, That any peddler who sells, or offers to sell, dry goods, foreign and domestic, by one or more original packages or pieces, at one time, to the same person or persons, as aforesaid, shall pay fifty dollars for each license. And any person who peddles jewelry shall pay twenty-five dollars for each license: *Provided*, That manufacturers and producers of agricultural tools and implements, garden seeds, stoves, and hollow ware, brooms, wooden ware, and powder, delivering and selling at wholesale any of said articles, by themselves or their authorized agents at places other than the place of manufacture, shall not be required, for any sale thus made, to take out any additional license therefor.
- Peddlers of packages of dry goods, of jewelry. 28. Apothecaries shall pay ten dollars for each license. Every person who keeps a shop or building where medicines are compounded or prepared according to prescriptions of physicians, and sold, shall be regarded an apothecary under this act. But wholesale and retail dealers, who have taken out a license therefor, shall not be required to take out a license as apothecary, anything in this act to the contrary notwithstanding.
- Apothecaries. 29. Manufacturers shall pay ten dollars for each license. Any person or persons, firms, companies, or corporations, who shall manufacture by hand or machinery, and offer for sale any goods, wares, or merchandise, exceeding annually the sum of one thousand dollars, shall be regarded a manufacturer under this act.
- Manufacturers. 30. Photographers shall pay ten dollars for each license when the receipts do not exceed five hundred dollars; when over five hundred dollars and under one thousand dollars, fifteen dollars; when over one

Post, p. 714.

Post, p. 714.

thousand dollars, twenty-five dollars. Any person or persons who make for sale photographs, ambrotypes, daguerreotypes, or pictures on glass, metal, or paper, by the action of light, shall be regarded a photographer under this act.

31. Lawyers shall pay ten dollars for each license. Every person whose business it is, for fee or reward, to prosecute or defend causes in any court of record or other judicial tribunal of the United States or of any of the States, or give advice in relation to causes or matters pending therein, shall be deemed to be a lawyer within the meaning of this act.

Lawyers.

Post, pp. 714
727.

32. Physicians, surgeons, and dentists shall pay ten dollars for each license. Every person (except apothecaries) whose business it is, for fee and reward, to prescribe remedies or perform surgical operations for the cure of any bodily disease or ailment, shall be deemed a physician, surgeon, or dentist, as the case may be, within the meaning of this act.

Physicians,
surgeons, den-
tists.

Post, p. 727.

33. Claim agents and agents for procuring patents shall pay ten dollars for each license. Every person whose business it is to prosecute claims in any of the executive departments of the federal government, or procure patents, shall be deemed a claim or patent agent, as the case may be, under this act.

Claim and pa-
tent agents.

SEC. 65. *And be it further enacted*, That where the annual gross receipts or sales of any apothecaries, confectioners, eating-houses, tobacconists, or retail dealers, shall not exceed the sum of one thousand dollars, such apothecaries, confectioners, eating-houses, and retail dealers shall not be required to take out or pay for license, anything in this act to the contrary notwithstanding; the amount or estimated amount of such annual sales to be ascertained or estimated in such manner as the Commissioner of Internal Revenue shall prescribe, and so of all other annual sales or receipts, where the rate of the license is graduated by the amount of sales or receipts.

Certain apoth-
ecaries, &c. need
not take out li-
cense.

SEC. 66. *And be it further enacted*, That nothing contained in the preceding sections of this act, laying duties on licenses, shall be construed to require a license for the sale of goods, wares, and merchandise made or produced and sold by the manufacturer or producer at the manufactory or place where the same is made or produced; to vintners who sell, at the place where the same is made, wine of their own growth; nor to apothecaries, as to wines or spirituous liquors which they use exclusively in the preparation or making up of medicines for sick, lame, or diseased persons; nor shall the provisions of paragraph number twenty-seven extend to physicians who keep on hand medicines solely for the purpose of making up their own prescriptions for their own patients.

Licenses not to
be required for
sale of certain ar-
ticles by certain
persons.

SEC. 67. *And be it further enacted*, That no license hereinbefore provided for, if granted, shall be construed to authorize the commencement or continuation of any trade, business, occupation, or employment therein mentioned, within any State or Territory of the United States in which it is or shall be specially prohibited by the laws thereof, or in violation of the laws of any State or Territory: *Provided*, Nothing in this act shall be held or construed so as to prevent the several States, within the limits thereof, from placing a duty, tax, or license, for State purposes, on any business matter or thing on which a duty, tax, or license is required to be paid by this act.

Licenses under
this act not to
authorize any
traffic prohibited
by the laws of
any State.

States may
tax, &c. any
article taxed, &c.
herein.

MANUFACTURES, ARTICLES, AND PRODUCTS.

SPECIFIC AND AD VALOREM DUTY.

SEC. 68. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, every individual, partnership, firm, association, or corporation, (and any word or words in this act indicating or referring to person or persons shall be taken to mean and include

Manufactures,
articles, and pro-
ducts.

Specific and ad
valorem duty.

Word "person"
to include part-
nerships, corpora-
tions, &c.

partnerships, firms, associations, or corporations, when not otherwise designated or manifestly incompatible with the intent thereof,) shall comply with the following requirements, that is to say :

Before commencing manufacture, persons to furnish to assistant assessor sworn statement, &c.

First. Before commencing, or, if already commenced, before continuing, any such manufacture for which he, she, or they may be liable to be assessed, under the provisions of this act, and which shall not be differently provided for elsewhere, within thirty days after the date when this act shall take effect, he, she, or they shall furnish to the assistant assessor a statement, subscribed and sworn to, or affirmed, setting forth the place where the manufacture is to be carried on, name of the manufactured article, the proposed market for the same, whether foreign or domestic, and generally the kind and quality manufactured or proposed to be manufactured.

To make monthly returns.

Second. He shall within ten days after the first day of each and every month, after the day on which this act takes effect, as hereinbefore mentioned, or on or before a day prescribed by the Commissioner of Internal Revenue, make return of the products and sales or delivery of such manufacture in form and detail as may be required, from time to time, by the Commissioner of Internal Revenue.

Form of statements and returns.

Third. All such returns, statements, descriptions, memoranda, oaths and affirmations, shall be in form, scope, and detail as may be prescribed, from time to time, by the Commissioner of Internal Revenue.

Duties on manufactures to be paid monthly.

SEC. 69. *And be it further enacted*, That upon the amounts, quantities, and values of produce, goods, wares, merchandise, and articles manufactured and sold, or delivered, hereinafter enumerated, the manufacturer thereof, whether manufactured for himself or for others, shall pay to the collector of internal revenue within his district, monthly, or on or before a day to be prescribed by the Commissioner of Internal Revenue, the duties on such manufactures: *Provided*, That when thread is manufactured and sold or delivered exclusively for knitted fabrics, or for weaving or spooling, as provided for in the seventy-fifth section of this act, the duties shall be assessed on the articles finished and prepared for use or consumption to the party so finishing or preparing the same, and any party so finishing or preparing any cloth or other fabrics of cotton, wool, or other materials, whether imported or otherwise, shall be considered the manufacturer thereof for the purposes of this act; and for neglect to pay such duties within ten days after demand, either personal or written, left at his, her, or their house or place of business, or manufactory, the amount of such duties may be levied upon the real and personal property of any such manufacturer. And such duties, and whatever shall be the expenses of levy, shall be a lien from the day prescribed by the Commissioner for their payment aforesaid, in favor of the United States upon the said real and personal property of such manufacturer, and such lien may be enforced by distraint, as provided in the general provisions of this act. *And provided, further*, That in all cases of goods manufactured, in whole or in part, upon commission, or where the material is furnished by one party and manufactured by another, if the manufacturer shall be required to pay under this act the tax hereby imposed, such person or persons so paying the same shall be entitled to collect the amount thereof of the owner or owners, and shall have a lien for the amount thus paid upon the manufactured goods: *And provided, further*, That the taxes on all articles manufactured and sold, in pursuance of contracts bona fide made before the passage of this act, shall be paid by the purchasers thereof, under regulations to be established by the Commissioner of Internal Revenue.

Proviso as to thread.

To whom duties are to be assessed.

Penalty for neglect to pay duties, &c.

Duties, &c. to be a lien.

Duties on goods manufactured on commission, &c.

on articles manufactured and sold prior to the passage of this act.

Goods, &c. to be forfeited for neglect, &c. to pay duties.

SEC. 70. *And be it further enacted*, That, for neglect or refusal to pay the duties provided by this act on manufactured articles, as aforesaid, the goods, wares, and merchandise manufactured and unsold by such manufacturer, shall be forfeited to the United States, and may be sold or disposed of for the benefit of the same, in manner as shall be prescribed by

the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury. In such case the collector or deputy collector may take possession of said articles, and may maintain such possession in the premises and buildings where they may have been manufactured, or deposited, or may be. He shall summon, giving notice of not less than two, nor more than ten days, the parties in possession of said goods, enjoining them to appear before the assessor, or assistant assessor, at a day and hour in such summons fixed, then and there to show cause, if any there be, why, for such neglect or refusal, such articles should not be declared forfeited to the United States. Such persons or parties interested shall be deemed to be the manufacturers of the same, if the articles shall be at the time of taking such possession upon the premises where manufactured; if they shall at such time have been removed from the place of manufacture, the parties interested shall be deemed to be the person in whose custody or possession the articles shall then be. Such summons shall be served upon such parties in person, or by leaving a copy thereof at the place of abode or business of the party to whom the same may be directed. In case no such party or place can be found, which fact shall be determined by the collector's return on the summons, such notice, in the nature of a summons, shall be given by advertisement for the term of three weeks in one newspaper in the county nearest to the place of such sale. If, at or before such hearing, such duties shall not have been paid, and the assessor or assistant assessor shall adjudge the summons and notice, service and return of the same, to be sufficient, the said articles shall be declared forfeit, and shall be sold, disposed of, or turned over to the use of any department of the government, as may be directed by the Secretary of the Treasury, who may require of any officer of the government into whose possession the same may be turned over the proper voucher therefor: *Provided*, That the proceeds of the sale of said articles, if any there be after deducting the duties thereon, together with the expenses of summons, advertising, and sale, or the excess of the value of said articles, after deducting the duties and expenses accrued thereon, when turned over to the use of any department of the government, shall be refunded and paid to the manufacturer, or to the person in whose custody or possession the articles were when seized. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may review any such case of forfeiture, and do justice in the premises. If the forfeiture shall have been wrongly declared, and sale made, the Secretary is hereby authorized, in case the specific articles cannot be restored to the party aggrieved in as good order and condition as when seized, to make up to such party in money his loss and damage from the contingent fund of his department. Immediate return of seizures so forfeited shall be made to the Commissioner of Internal Revenue by the collector or deputy collector who shall make any such seizure. Articles which the collector may adjudge perishable may be sold or disposed of before declaration of forfeiture. Said sales shall be made at public auction, and notice thereof shall be given in the same manner as is provided in this section in case of forfeiture.

Proceedings in case of forfeiture. Seizure.

Notice to owners.

Who to be deemed manufacturers of the goods.

Summons, how served.

Sale.

Excess of proceeds to be refunded.

Commissioners may review cases of forfeitures.

Perishable articles.

Sales to be by public auction.

Penalty for refusal to comply with, &c., provisions of 68th section of this act.

If goods, &c., are manufactured and sold, &c., without paying

SEC. 71. *And be it further enacted*, That any violation of, or refusal to comply with, the provisions of the sixty-eighth section of this act, shall be good cause for seizure and forfeiture, substantially in manner as detailed in the section next preceding this, of all manufactured articles liable to be assessed under the provisions of this act, and not otherwise provided for; and such violation or refusal to comply shall further make any party so violating or refusing to comply liable to a fine of five hundred dollars, to be recovered in manner and form as provided in this act.

SEC. 72. *And be it further enacted*, That in case of the manufacture and sale or delivery of any goods, wares, merchandise, or articles as hereinafter mentioned, without compliance on the part of the party manufac-

duties, value may be estimated and duties assessed.

turing the same with all or any of the requirements and regulations prescribed in this act in relation thereto, the assistant assessor may, upon such information as he may have, assume and estimate the amount and value of such manufactures, and upon such assumed amount assess the duties, and said duties shall be collected in like manner as in case the provisions of this act in relation thereto had been complied with, and to such articles all the foregoing provisions for liens, fines, penalties, and forfeitures, shall in like manner apply.

Goods exempt from duty.

SEC. 73. *And be it further enacted*, That all goods, wares, and merchandise, or articles manufactured or made by any person or persons not for sale, but for his, her, or their own use or consumption, and all goods, wares, and merchandise, or articles manufactured or made and sold, except spirituous and malt liquors, and manufactured tobacco, where the annual product shall not exceed the sum of six hundred dollars, shall be and are exempt from duty: *Provided*, That this shall not apply to any business or transaction where one party furnishes the materials, or any part thereof, and employs another party to manufacture, make, or finish the goods, wares, and merchandise or articles, paying or promising to pay therefor, and receiving the goods, wares, and merchandise or articles.

Proviso.

Value, &c., to be estimated by actual sales, &c.

SEC. 74. *And be it further enacted*, That the value and quantity of the goods, wares, and merchandise required to be stated, as aforesaid, and subject to an ad valorem duty, shall be estimated by the actual sales made by the manufacturer, or by his, her, or their agent, or person or persons acting in his, her, or their behalf; and where such goods, wares, and merchandise have been removed for consumption, or for delivery to others, or placed on shipboard, or are no longer within the custody and control of the manufacturer or manufacturers, or his or their agent, not being in his, her, or their factory, store or warehouse, the value shall be estimated by the average of the market value of the like goods, wares, and merchandise, during the time when the same would have become liable to and charged with duty.

Duties on certain manufactured articles.

SEC. 75. *And be it further enacted*, That from and after the said first day of August, eighteen hundred and sixty-two, upon the articles, goods, wares, and merchandise, hereinafter mentioned, which shall thereafter be produced and sold, or be manufactured or made and sold, or removed for consumption, or for delivery to others than agents of the manufacturer or producer within the United States or Territories thereof, there shall be levied, collected, and paid the following duties, to be paid by the producer or manufacturer thereof, that is to say:

Post, p. 729.

Candles.

On candles, of whatever material made, three per centum ad valorem;

Mineral coals.

On all mineral coals, except such as are known in the trade as pea coal and dust coal, three and a half cents per ton: *Provided*, That for all contracts of lease of coal lands made before the first day of April, eighteen hundred and sixty-two, the lessee shall pay the tax;

Post, p. 716.

Lard oil, &c.

On lard oil, mustard-seed oil, linseed oil, and on all animal or vegetable oils not exempted nor provided for elsewhere, whether pure or adulterated, two cents per gallon: *Provided*, That red oil or oleic acid, produced in the manufacture of candles, and used as a material in the manufacture of soap, paraffine, whale and fish oil, shall be exempted from this duty;

Post, p. 729.

Red oil exempt.

Illuminating gas.

On gas, illuminating, made of coal, wholly or in part, or any other material, when the product shall be not above five hundred thousand cubic feet per month, five cents per one thousand cubic feet; when the product shall be above five hundred thousand, and not exceeding five millions of cubic feet per month, ten cents per one thousand cubic feet; when the product shall be above five millions, fifteen cents per one thousand cubic feet; and the general average of the monthly product for the year preceding the return required by this act shall regulate the rate of duty herein imposed; and where any gas company shall not have been in operation for the year next preceding the return as aforesaid, then the rate shall be

regulated upon the estimated average of the monthly product: *Provided*, That the product required to be returned by this act shall be understood to be the product charged in the bills actually rendered by any gas company during the month preceding the return, and all gas companies are hereby authorized to add the duty or tax imposed by this act to the price per thousand cubic feet on gas sold: *Provided, further*, That all gas furnished for lighting street lamps, and not measured, and all gas made for and used by any hotel, inn, tavern, and private dwelling-house, shall be subject to duty, and may be estimated; and if the returns in any case shall be understated or underestimated, it shall be the duty of the assistant assessor of the district to increase the same as he shall deem just and proper: *And provided, further*, That coal tar produced in the manufacture of illuminating gas, and the products of the redistillation of coal tar thus produced, shall be exempt from duty: *And provided, further*, That gas companies so located as to compete with each other shall pay the rate imposed by this act upon the company having the largest production;

On coal illuminating oil, refined, produced by the distillation of coal, asphaltum, shale, peat, petroleum, or rock oil, and all other bituminous substances, used for like purposes, ten cents per gallon: *Provided*, That such oil refined and produced by the distillation of coal exclusively shall be subject to pay a duty of eight cents per gallon, anything in this act to the contrary notwithstanding: *And provided, further*, That distillers of coal-oil shall be subject to all the provisions of this act, hereinbefore set forth and specified, applicable to distillers of spirituous liquors, with regard to licenses, bonds, returns, and all other provisions designed for the purpose of ascertaining the quantity distilled, and securing the payment of duties, so far as the same may, in the judgment of the Commissioner of Internal Revenue, and under regulations prescribed by him, be necessary for that purpose;

On ground coffee, and all preparations of which coffee forms a part, or which is prepared for sale as a substitute for coffee, three mills per pound;

On ground pepper, ground mustard, ground pimento, ground cloves, ground cassia, and ground ginger, and all imitations of the same, one cent per pound;

On sugar, refined, whether loaf, lump, granulated, or pulverized, two mills per pound;

On sugar, refined or made from molasses, sirup of molasses, melado or concentrated melado, two mills per pound;

On all brown, Muscovado, or clarified sugars produced directly from the sugar cane, and not from sorghum or imphee, other than those produced by the refiner, one cent per pound;

On sugar candy and all confectionery, made wholly or in part of sugar, one cent per pound;

On chocolate, and cocoa prepared, one cent per pound;

On saleratus, and bicarbonate of soda, five mills per pound;

On starch, made of potatoes, one mill per pound; made of corn or wheat, one and a half mills per pound; made of rice or any other material, four mills per pound;

On tobacco, cavendish, plug, twist, fine cut, and manufactured of all descriptions, (not including snuff, cigars, and smoking tobacco prepared with all the stems in, or made exclusively of stems,) valued at more than thirty cents per pound, fifteen cents per pound; valued at any sum not exceeding thirty cents per pound, ten cents per pound;

On smoking tobacco prepared with all the stems in, five cents per pound;

On smoking tobacco made exclusively of stems, two cents per pound;

On snuff manufactured of tobacco, ground dry or damp, of all descriptions, twenty cents per pound;

Duty may be added to price of gas.

Coal tar exempt.

Competing gas companies.

Coal illuminating oil, &c.

Distillers of coal oil.

Ground coffee.

Ground spices.

Refined sugar.

Post, p. 716.

Brown, &c., sugar.

Post, p. 588.

Confectionery.

Post, p. 717.

Chocolate.

Saleratus.

Starch.

Tobacco.

Post, pp. 717, 729.

Snuff.

Post, p. 717.

- Cigars.** On cigars, valued at not over five dollars per thousand, one dollar and fifty cents per thousand ;
 On cigars, valued at over five and not over ten dollars per thousand, two dollars per thousand ;
 On cigars, valued at over ten and not over twenty dollars per thousand, two dollars and fifty cents per thousand ;
 On cigars, valued at over twenty dollars per thousand, three dollars and fifty cents per thousand ;
- Gunpowder.** On gunpowder, and all explosive substances used for mining, blasting, artillery, or sporting purposes, when valued at eighteen cents per pound or less, five mills per pound ; when valued at above eighteen cents per pound, and not exceeding thirty cents per pound, one cent per pound ; and when valued at above thirty cents per pound, six cents per pound ;
- White Lead.** On white lead, twenty-five cents per one hundred pounds ;
Oxide of zinc. On oxide of zinc, twenty-five cents per one hundred pounds ;
Sulphate of barytes. On sulphate of barytes, ten cents per one hundred pounds : *Provided*, That white lead, oxide of zinc, and sulphate of barytes, or any one of them, shall not be subject to any additional duty in consequence of being mixed or ground with linseed oil, when the duties upon all the materials so mixed or ground shall have been previously actually paid ;
Post, p. 716.
- Paints and painters' colors.** On all paints and painters' colors, dry or ground in oil, or in paste with water, not otherwise provided for, five per centum ad valorem ;
Clock movements. On clock movements made to run one day, five cents each ; made to run more than one day, ten cents each ;
Post, p. 717.
Pins. On pins, solid head or other, five per centum ad valorem ;
Umbrellas. On umbrellas and parasols made of cotton, silk, or other material, five per centum ad valorem ;
Post, p. 717.
Screws. On screws, commonly called wood screws, one and a half cent per pound ;
- Railroad, &c. iron.** On railroad iron, and all other iron advanced beyond slabs, blooms, or loops, and not advanced beyond bars or rods, and band, hoop, and sheet iron, not thinner than number eighteen wire-gauge, and plate iron not less than one-eighth of an inch in thickness, one dollar and fifty cents per ton ; on railroad iron, re-rolled, seventy-five cents per ton ; on band, hoop, and sheet iron, thinner than number eighteen wire-gauge, plate iron less than one-eighth of an inch in thickness, and cut nails and spikes, two dollars per ton : *Provided*, That bars, rods, bands, hoops, sheets, plates, nails, and spikes, manufactured from iron upon which the duty of one dollar and fifty cents has been levied and paid, shall be subject only to a duty of fifty cents per ton in addition thereto, anything in this act to the contrary notwithstanding ; On stoves and hollow ware, one dollar and fifty cents per ton of two thousand pounds ; cast iron used for bridges, buildings, or other permanent structures, one dollar per ton : *Provided*, That bar iron used for like purposes shall be charged no additional duty beyond the specific duty imposed by this act ; On steel in ingots, bars, sheets, or wire not less than one-fourth of an inch in thickness, valued at seven cents per pound or less, four dollars per ton ; valued at above seven cents per pound, and not above eleven cents per pound, eight dollars per ton ; valued above eleven cents per pound, ten dollars per ton ;
- Stoves and hollow ware.** On stoves and hollow ware, one dollar and fifty cents per ton of two thousand pounds ; cast iron used for bridges, buildings, or other permanent structures, one dollar per ton : *Provided*, That bar iron used for like purposes shall be charged no additional duty beyond the specific duty imposed by this act ; On steel in ingots, bars, sheets, or wire not less than one-fourth of an inch in thickness, valued at seven cents per pound or less, four dollars per ton ; valued at above seven cents per pound, and not above eleven cents per pound, eight dollars per ton ; valued above eleven cents per pound, ten dollars per ton ;
- Cast iron for bridges, &c.** On cast iron used for bridges, buildings, or other permanent structures, one dollar per ton : *Provided*, That bar iron used for like purposes shall be charged no additional duty beyond the specific duty imposed by this act ; On steel in ingots, bars, sheets, or wire not less than one-fourth of an inch in thickness, valued at seven cents per pound or less, four dollars per ton ; valued at above seven cents per pound, and not above eleven cents per pound, eight dollars per ton ; valued above eleven cents per pound, ten dollars per ton ;
Post, p. 717.
Steel. On steel in ingots, bars, sheets, or wire not less than one-fourth of an inch in thickness, valued at seven cents per pound or less, four dollars per ton ; valued at above seven cents per pound, and not above eleven cents per pound, eight dollars per ton ; valued above eleven cents per pound, ten dollars per ton ;
- Paper.** On paper of all descriptions, including pasteboard and binders' boards, three per centum ad valorem ;
- Soap.** On soap, castile, palm-oil, erasive, and soap of all other descriptions, white or colored, except soft soap and soap otherwise provided for, valued not above three and a half cents per pound, one mill per pound ; valued at above three and a half cents per pound, five mills per pound ;
 On soap, fancy, scented, honey, cream, transparent, and all descriptions of toilet and shaving soap, two cents per pound ;
- Salt.** On salt, four cents per one hundred pounds ;
- Pickles, &c.** On pickles and preserved fruits, and on all preserved meats, fish, and shell-fish in cans or air-tight packages, five per centum ad valorem ;

On glue and gelatine of all descriptions in the solid state, five mills per pound;	Glue and gelatine.
On glue and cement, made wholly or in part of glue, to be sold in the liquid state, twenty-five cents per gallon;	Glue and cement.
On patent or enamelled leather, five mills per square foot;	Patent leather.
On patent Japanned split, used for dasher leather, four mills per square foot;	
On patent or enamelled skirting leather, one and a half cent per square foot;	
On all sole and rough or harness leather, made from hides, imported east of the Cape of Good Hope, and all damaged leather, five mills per pound;	Sole, &c., leather.
On all other sole or rough leather, hemlock tanned, and harness leather, seven mills per pound;	
On all sole or rough leather, tanned in whole or in part with oak, one cent per pound;	
On all finished or curried upper leather, made from leather tanned in the interest of the parties finishing or currying such leather not previously taxed in the rough, except calf skins, one cent per pound;	Upper leather.
On bend and butt leather, one cent per pound;	Bend leather.
On offal leather, five mills per pound;	Offal leather.
On oil-dressed leather, and deer skins dressed or smoked, two cents per pound;	
On tanned calf skins, six cents each;	
On morocco, goat, kid, or sheep skins, curried, manufactured, or finished, four per centum ad valorem: <i>Provided</i> , That the price at which such skins are usually sold shall determine their value;	Calf and goat skins, &c.
On horse and hog skins tanned and dressed, four per centum ad valorem;	Horse and hog skins.
On American patent calf skins, five per centum ad valorem;	Pat. calf skins.
On conducting hose of all kinds for conducting water or other fluids, a duty of three per centum ad valorem;	Conducting hose.
On wine, made of grapes, five cents per gallon;	Wine.
On varnish, made wholly or in part of gum copal or other gums or substances, five per centum ad valorem;	Varnish.
On furs of all descriptions, when made up or manufactured, three per centum ad valorem;	Furs.
On cloth and all textile or knitted or felted fabrics of cotton, wool, or other materials, before the same has been dyed, printed, bleached, or prepared in any other manner, a duty of three per centum ad valorem: <i>Provided</i> , That thread or yarn manufactured and sold or delivered exclusively for knitted fabrics, or for weaving, when the spinning and weaving for the manufacture of cloth of any kind is carried on separately, shall not be regarded as manufactures within the meaning of this act; but all fabrics of cotton, wool, or other material, whether woven, knit, or felted, shall be regarded as manufactures, and be subject to the duty, as above, of three per centum ad valorem;	Cloth, cotton or woollen, &c.
On all diamonds, emeralds, and all other jewelry, a tax of three per centum ad valorem;	Diamonds, &c.
On and after the first day of October, eighteen hundred and sixty-two, there shall be levied, collected, and paid, a tax of one half of one cent per pound on all cotton held or owned by any person or persons, corporation, or association of persons; and such tax shall be a lien thereon in the possession of any person whomsoever. And further, if any person or persons, corporations, or association of persons, shall remove, carry, or transport the same from the place of its production before said tax shall have been paid, such person or persons, corporation, or association of persons, shall forfeit and pay to the United States double the amount of such tax, to be recovered in any court having jurisdiction thereof: <i>Provided, however</i> , That the Commissioner of Internal Revenue is hereby	Cotton. Lien. Penalty. Proviso.

Cotton held by
manufacturer ex-
empt.

Manufactures
of cotton, wool,
flax, silk, &c.,
and of non-enu-
merated articles.

Post, pp. 717,
729.

Certain articles
not to be consid-
ered manufac-
tures under this
act.

authorized to make such rules and regulations as he may deem proper for the payment of said tax at places different from that of the production of said cotton: *And provided, further*, That all cotton owned and held by any manufacturer of cotton fabrics on the first day [of] October, eighteen hundred and sixty-two, and prior thereto, shall be exempt from the tax hereby imposed;

On all manufactures of cotton, wool, silk, worsted, flax, hemp, jute, India-rubber, gutta-percha, wood, willow, glass, pottery-ware, leather, paper, iron, steel, lead, tin, copper, zinc, brass, gold, silver, horn, ivory, bone, bristles, wholly or in part, or of other materials, not in this act otherwise provided for, a duty of three per centum ad valorem: *Provided*, That on all cloths dyed, printed, bleached, manufactured into other fabrics, or otherwise prepared, on which a duty or tax shall have been paid before the same were so dyed, printed, bleached, manufactured, or prepared, the said duty or tax of three per centum shall be assessed only upon the increased value thereof: *And provided, further*, That on all oil-dressed leather, and deer skins dressed or smoked, manufactured into gloves, mittens or other articles on which a duty or tax shall have been paid before the same were so manufactured, the said duty or tax of three per centum shall be assessed only upon the increased valuation thereof: *And provided, further*, That in estimating the duties upon articles manufactured when removed and sold at any other place than the place of manufacture, there shall be deducted from the gross amount of sales the freight, commission, and expenses of sale actually paid, and the duty shall be assessed and paid upon the net amount after the deductions as aforesaid: *And provided, further*, That printed books, magazines, pamphlets, newspapers, reviews, and all other similar printed publications; boards, shingles, and all other lumber and timber; staves, hoops, headings, and timber only partially wrought and unfinished for chairs, tubs, pails, snathes, lasts, shovel and fork handles; umbrella stretchers, pig iron, and iron not advanced beyond slabs, blooms, or loops; maps and charts; charcoal; alcohol made or manufactured of spirits or materials upon which the duties imposed by this act shall have been paid; plaster or gypsum; malt; burning fluid; printers' ink; flax prepared for textile or felting purposes, until actually woven or fitted into fabrics for consumption; all flour and meal made from grain; bread and breadstuffs; pearl barley and split peas; butter; cheese; concentrated milk; bullion, in the manufacture of silverware; brick; lime; Roman cement; draining tiles; marble; slate; building stone; copper, in ingots or pigs; and lead, in pigs or bars, shall not be regarded as manufactures within the meaning of this act: *Provided*, That whenever, by the provisions of this act, a duty is imposed upon any article removed for consumption or sale, it shall apply only to such articles as are manufactured on or after the first day of August, eighteen hundred and sixty-two, and to such as are manufactured and not removed from the place of manufacture prior to that date.

AUCTION SALES.

Auction sales.

SEC. 76. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, there shall be levied, collected, and paid on all sales of real estate, goods, wares, merchandise, articles, or things, at auction, including all sales of stocks, bonds, and other securities, a duty of one-tenth of one per centum on the gross amount of such sales, and every auctioneer making such sales, as aforesaid, shall at the end of each and every month, or within ten days thereafter, make a list or return to the assistant assessor of the district of the gross amount of such sales, made as aforesaid, with the amount of duty which has accrued, or should accrue thereon, which list shall have annexed thereto a declaration under oath or affirmation, in form and manner as may be prescribed by the Commissioner of Internal Revenue, that the same is true and

correct, and shall at the same time, as aforesaid, pay to the collector or deputy collector the amount of duty or tax thereupon, as aforesaid, and in default thereof shall be subject to and pay a penalty of five hundred dollars. In all cases of delinquency in making said list or payment the assessment and collection shall be made in the manner prescribed in the general provisions of this act: *Provided*, That no duty shall be levied under the provisions of this section upon any sales by judicial or executive officers making auction sales by virtue of a judgment or decree of any court, nor to public sales made by executors or administrators.

Auction sales.

Certain sales exempt.

CARRIAGES, YACHTS, BILLIARD-TABLES, AND PLATE.

SEC. 77. *And be it further enacted*, That from and after the first day of May, eighteen hundred and sixty-two, there shall be levied, collected, and paid, by any person or persons owning, possessing, or keeping any carriage, yacht, and billiard-table, the several duties or sums of money set down in figures against the same respectively, or otherwise specified and set forth in schedule marked A.

Carriages, yachts, billiard-tables, and plate.

Post, pp. 627, 717.

SCHEDULE A.

CARRIAGES, YACHTS, BILLIARD-TABLES, AND PLATE.

	<i>Duty.</i>	
	<i>Dolls. cts.</i>	
Carriage, gig, chaise, phaeton, wagon, buggy-wagon, carryall, rock-away, or other like carriage, the body of which rests upon springs of any description, kept for use, and which shall not be exclusively employed in husbandry or for the transportation of merchandise, and valued at seventy-five dollars or over, including the harness used therewith, when drawn by one horse, one dollar.....	1 00	Carriages <i>Post</i> , p. 717.
Carriages of like description drawn by two horses, and any coach, hackney-coach, omnibus, or four-wheel carriage, the body of which rests upon springs of any description, which may be kept for use, for hire, or for passengers, and which shall not be exclusively employed in husbandry or for the transportation of merchandise, valued at seventy-five dollars, and not exceeding two hundred dollars, including the harness used therewith, drawn by two horses or more, two dollars.....	2 00	
Carriages of like description, when valued above two hundred dollars, and not exceeding six hundred dollars, five dollars....	5 00	
Carriages of like description, valued above six hundred dollars, ten dollars.....	10 00	
Pleasure or racing vessels, known as yachts, whether by sail or steam, under the value of six hundred dollars, five dollars....	5 00	Yachts.
Yachts valued above six hundred dollars, and not exceeding one thousand dollars, ten dollars.....	10 00	
And for each additional one thousand dollars in value of said yachts, ten dollars.....	10 00	
Billiard-tables, kept for use, ten dollars.....	10 00	Billiard-tables. Plate.
Plate of gold, kept for use, per ounce troy, fifty cents.....	50	
Plate of silver, kept for use, per ounce troy, three cents.....	3	<i>Post</i> , p. 717.

Provided, That silver spoons or plate of silver, to an amount not exceeding forty ounces, as aforesaid, belonging to any one person, shall be exempt from duty.

SLAUGHTERED CATTLE, HOGS, AND SHEEP.

SEC. 78. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, there shall be levied, collected, and paid by any person or persons, firms, companies, or agents or employees thereof, the following duties or taxes, that is to say:

Slaughtered cattle, hogs, and sheep.

Post, p. 718.

Cattle.	On all horned cattle exceeding eighteen months old, slaughtered for sale, thirty cents per head ;
<i>Post</i> , p. 718.	On all calves and cattle under eighteen months old, slaughtered for sale, five cents per head ;
Hogs.	On all hogs, exceeding six months old, slaughtered for sale, when the number thus slaughtered exceeds twenty in any one year, ten cents per head ;
Sheep.	On all sheep, slaughtered for sale, five cents per head : <i>Provided</i> , That all cattle, hogs, and sheep, slaughtered by any person for his or her own consumption, shall be exempt from duty.
Returns of slaughtering to be made.	SEC. 79. <i>And be it further enacted</i> , That on and after the date on which this act shall take effect, any person or persons, firms, or companies, or agents or employees thereof, whose business or occupation it is to slaughter for sale any cattle, calves, sheep, or hogs, shall be required to make and render a list at the end of each and every month to the assistant assessor of the district where the business is transacted, stating the number of cattle, calves, if any, the number of hogs, if any, and the number of sheep, if any, slaughtered, as aforesaid, with the several rates of duty as fixed therein in this act, together with the whole amount thereof, which list shall have annexed thereto a declaration of said person or persons, agents or employees thereof, as aforesaid, under oath or affirmations, in such manner and form as may be prescribed by the Commissioner of Internal Revenue, that the same is true and correct, and shall, at the time of rendering said list, pay the full amount of duties which have accrued or should accrue, as aforesaid, to the collector or deputy collector of the district, as aforesaid ; and in case of default in making the return or payment of the duties, as aforesaid, the assessment and collection shall be made as in the general provisions of this act required, and in case of fraud or evasion, the party offending shall forfeit and pay a penalty of ten dollars per head for any cattle, calves, hogs, or sheep so slaughtered upon which the duty is fraudulently withheld, evaded, or attempted to be evaded : <i>Provided</i> , That the Commissioner of Internal Revenue shall prescribe such further rules and regulations as he may deem necessary for ascertaining the correct number of cattle, calves, hogs, and sheep, liable to be taxed under the provisions of this act.
Duties, when to be paid.	
Penalty for default.	

RAILROADS, STEAMBOATS, AND FERRY-BOATS.

Railroads, steamboats, ferry-boats.	SEC. 80. <i>And be it further enacted</i> , That on and after the first day of August, eighteen hundred and sixty-two, any person or persons, firms, companies, or corporations, owning or possessing, or having the care or management of any railroad or railroads upon which steam is used as a propelling power, or of any steamboat or other vessel propelled by steam-power, shall be subject to and pay a duty of three per centum on the gross amount of all the receipts of such railroad or railroads or steam-vessel for the transportation of passengers over and upon the same ; and any person or persons, firms, companies, or corporations, owning or possessing, or having the care or management of any railroad or railroads using any other power than steam thereon, or owning, possessing, or having the care or management of any ferry-boat, or vessel used as a ferry-boat, propelled by steam or horse power, shall be subject to and pay a duty of one and a half per centum upon the gross receipts of such railroad or ferry-boat, respectively, for the transportation of passengers over and upon said railroads, steamboats, and ferry-boats, respectively ; and any person or persons, firms, companies, or corporations, owning, possessing, or having the care or management of any bridge authorized by law to receive toll for the transit of passengers, beasts, carriages, teams, and freight of any description over such bridge, shall be subject to and pay a duty of three per centum on the gross amount of all their
Duty.	
Toll bridges.	

receipts of every description. And the owner, possessor, or person or persons having the care and management of any such railroad, steamboat, ferry-boat, or other vessel, or bridge, as aforesaid, shall, within five days after the end of each and every month, commencing as hereinbefore mentioned, make a list or return to the assistant assessor of the district within which such owner, possessor, company, or corporation may have his or its place of business, or where any such railroad, steamboat, ferry-boat, or bridge is located or belongs, respectively, stating the gross amount of such receipts for the month next preceding, which return shall be verified by the oath or affirmation of such owner, possessor, manager, agent, or other proper officer, in the manner and form to be prescribed from time to time by the Commissioner of Internal Revenue, and shall also, monthly, at the time of making such return, pay to the collector or deputy collector of the district the full amount of duties which have accrued on such receipts for the month aforesaid; and in case of neglect or refusal to make said lists or return for the space of five days after such return should be made as aforesaid, the assessor or assistant assessor shall proceed to estimate the amount received and the duties payable thereon, as hereinbefore provided in other cases of delinquency to make return for purposes of assessment; and for the purpose of making such assessment, or of ascertaining the correctness of any such return, the books of any such person, company, or corporation shall be subject to the inspection of the assessor or assistant assessor on his demand or request therefor; and in case of neglect or refusal to pay the duties as aforesaid when the same have been ascertained as aforesaid, for the space of five days after the same shall have become payable, the owner, possessor, or person having the management as aforesaid, shall pay, in addition, five per centum on the amount of such duties; and for any attempt knowingly to evade the payment of such duties, the said owner, possessor, or person having the care or management as aforesaid, shall be liable to pay a penalty of one thousand dollars for every such attempt, to be recovered as provided in this act for the recovery of penalties; and all provisions of this act in relation to liens and collections by distraint not incompatible herewith, shall apply to this section and the objects therein embraced: *Provided*, That all such persons, companies, and corporations shall have the right to add the duty or tax imposed hereby to their rates of fare whenever their liability thereto may commence, any limitations which may exist by law or by agreement with any person or company which may have paid, or be liable to pay, such fare to the contrary notwithstanding.

Returns to be made under oath.

Duties to be paid monthly.

Penalty for neglect,

for attempt to evade payment.

Liens, distraint, &c.

Tax may be added to rates of fare.

RAILROAD BONDS.

SEC. 81. *And be it further enacted*, That on and after the first day of July, eighteen hundred and sixty-two, any person or persons owning or possessing, or having the care or management of any railroad company or railroad corporation, being indebted for any sum or sums of money for which bonds or other evidences of indebtedness have been issued, payable in one or more years after date, upon which interest is, or shall be, stipulated to be paid, or coupons representing the interest shall be or shall have been issued to be paid, and all dividends in scrip or money or sums of money thereafter declared due or payable to stockholders of any railroad company, as part of the earnings, profits, or gains of said companies, shall be subject to and pay a duty of three per centum on the amount of all such interest or coupons or dividends whenever the same shall be paid; and said railroad companies or railroad corporations, or any person or persons owning, possessing, or having the care or management of any railroad company or railroad corporation, are hereby authorized and required to deduct and withhold from all payments made to any person, persons, or party, after the first day of July, as aforesaid, on account of any interest

Railroad bonds.

Duty.

Amount of tax to be withheld.

Railroad bonds. or coupons or dividends due and payable as aforesaid, the said duty or sum of three per centum; and the duties deducted as aforesaid, and certified by the president or other proper officer of said company or corporation, shall be a receipt and discharge, according to the amount thereof, of said railroad companies or railroad corporations, and the owners, possessors, and agents thereof, on dividends and on bonds or other evidences of their indebtedness, upon which interest or coupons are payable, holden by any person or party whatsoever, and a list or return shall be made and rendered within thirty days after the time fixed when said interest or coupons or dividends become due or payable, and as often as every six months, to the Commissioner of Internal Revenue, which shall contain a true and faithful account of the duties received and chargeable, as aforesaid, during the time when such duties have accrued or should accrue, and remaining unaccounted for; and there shall be annexed to every such list or return a declaration under oath or affirmation, in manner and form as may be prescribed by the Commissioner of Internal Revenue, of the president, treasurer, or some proper officer of said railroad company or railroad corporation, that the same contains a true and faithful account of the duties so withheld and received during the time when such duties have accrued or should accrue, and not accounted for, and for any default in the making or rendering of such list or return, with the declaration annexed, as aforesaid, the person or persons owning, possessing, or having the care or management of such railroad company or railroad corporation, making such default, shall forfeit, as a penalty, the sum of five hundred dollars; and in case of any default in making or rendering said list, or of any default in the payment of the duty, or any part thereof, accruing or which should accrue, the assessment and collection shall be made according to the general provisions of this act.

Returns to be made under oath.

Penalty for default.

BANKS, TRUST COMPANIES, SAVINGS INSTITUTIONS, AND INSURANCE COMPANIES.

Banks, trust companies, savings institutions, and insurance companies. SEC. 82. *And be it further enacted,* That on and after the first day of July, eighteen hundred and sixty-two, there shall be levied, collected, and paid by all banks, trust companies, and savings institutions, and by all fire, marine, life, inland, stock, and mutual insurance companies, under whatever style or name known or called, of the United States or Territories, specially incorporated or existing under general laws, or which may be hereafter incorporated or exist as aforesaid, on all dividends in scrip or money thereafter declared due or paid to stockholders, to policy holders, or to depositors, as part of the earnings, profits, or gains of said banks, trust companies, savings institutions, or insurance companies, and on all sums added to their surplus or contingent funds, a duty of three per centum: *Provided,* That the duties upon the dividends of life insurance companies shall not be deemed due, or to be collected until such dividends shall be payable by such companies. And said banks, trust companies, savings institutions, and insurance companies are hereby authorized and required to deduct and withhold from all payments made to any person, persons, or party, on account of any dividends or sums of money that may be due and payable, as aforesaid, after the first day of July, eighteen hundred and sixty-two, the said duty of three per centum. And a list or return shall be made and rendered within thirty days after the time fixed when such dividends or sums of money shall be declared due and payable, and as often as every six months, to the Commissioner of Internal Revenue, which shall contain a true and faithful account of the amount of duties accrued or which should accrue from time to time, as aforesaid, during the time when such duties remain unaccounted for, and there shall be annexed to every such list or return a declaration, under oath or affirmation, to be made in form and manner as shall be prescribed by the Commissioner of Internal Revenue, of the president, or some other proper

Post, pp. 723, 724.

Duty.

Returns under oath.

officer of said bank, trust company, savings institution, or insurance company, respectively, that the same contains a true and faithful account of the duties which have accrued or should accrue, and not accounted for, and for any default in the delivery of such list or return, with such declaration annexed, the bank, trust company, savings institution, or insurance company making such default shall forfeit, as a penalty, the sum of five hundred dollars.

Penalty for default.

SEC. 83. *And be it further enacted*, That any person or persons owning or possessing, or having the care or management of any railroad company or railroad corporation, bank, trust company, savings institution, or insurance company, as heretofore mentioned, required under this act to make and render any list or return to the Commissioner of Internal Revenue, shall, upon rendering the same, pay to the said Commissioner of Internal Revenue the amount of the duties due on such list or return, and in default thereof shall forfeit as a penalty the sum of five hundred dollars; and in case of neglect or refusal to make such list or return as aforesaid, or to pay the duties as aforesaid, for the space of thirty days after the time when said list should have been made and rendered, or when said duties shall have become due and payable, the assessment and collection shall be made according to the general provisions heretofore prescribed in this act.

Duties, &c. on banks; &c. when to be paid.

Penalty

SEC. 84. *And be it further enacted*, That on the first day of October, anno Domini eighteen hundred and sixty-two, and on the first day of each quarter of a year thereafter, there shall be paid by each insurance company, whether inland or marine, and by each individual or association engaged in the business of insurance from loss or damage by fire, or by the perils of the sea, the duty of one per centum upon the gross receipts for premiums and assessments by such individual, association, or company during the quarter then preceding; and like duty shall be paid by the agent of any foreign insurance company having an office or doing business within the United States.

Insurance companies.

Duty.

SEC. 85. *And be it further enacted*, That on the first day of October next, and on the first day of each quarter thereafter, an account shall be made and rendered to the Commissioner of Internal Revenue by all insurance companies, or their agents, or associations or individuals making insurance, except life insurance, including agents of all foreign insurance companies, which shall contain a true and faithful account of the insurance made, renewed, or continued, or indorsed upon any open policy by said companies, or their agents, or associations, or individuals during the preceding quarter, setting forth the amount insured, and the gross amount received, and the duties accruing thereon under this act; and there shall be annexed to and delivered with every such quarterly account an affidavit, in the form to be prescribed by the Commissioner of Internal Revenue, made by one of the officers of said company or association, or individual, or by the agent in the case of a foreign company, that the statements in said accounts are in all respects just and true; and such quarterly accounts shall be rendered to the Commissioner of Internal Revenue within thirty days after the expiration of the quarter for which they shall be made up, and upon rendering such account, with such affidavit, as aforesaid, thereto annexed, the amount of the duties due by such quarterly accounts shall be paid to the Commissioner of Internal Revenue; and for every default in the delivery of such quarterly account, with such affidavit annexed thereto, or in the payment of the amount of the duties due by such quarterly account, the company, or agent, or association, or individual making such default shall forfeit and pay, in addition to such duty, the sum of five thousand dollars.

Insurance companies to make returns under oath.

Penalty for default.

Salaries, &c.
Passports.

SALARIES AND PAY OF OFFICERS AND PERSONS IN THE SERVICE OF THE UNITED STATES, AND PASSPORTS.

Salaries.

SEC. 86. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, there shall be levied, collected, and paid on all salaries of officers, or payments to persons in the civil, military, naval, or other employment or service of the United States, including senators and representatives and delegates in Congress, when exceeding the rate of six hundred dollars per annum, a duty of three per centum on the excess above the said six hundred dollars; and it shall be the duty of all paymasters, and all disbursing officers, under the government of the United States, or in the employ thereof, when making any payments to officers and persons as aforesaid, or upon settling and adjusting the accounts of such officers and persons, to deduct and withhold the aforesaid duty of three per centum, and shall, at the same time, make a certificate stating the name of the officer or person from whom such deduction was made, and the amount thereof, which shall be transmitted to the office of the Commissioner of Internal Revenue, and entered as part of the internal duties; and the pay-roll, receipts, or account of officers or persons paying such duty, as aforesaid, shall be made to exhibit the fact of such payment.

Passports.

SEC. 87. *And be it further enacted*, That for every passport issued from the office of the Secretary of State, after the thirtieth day of June, eighteen hundred and sixty-two, there shall be paid the sum of three dollars; which amount may be paid to any collector appointed under this act, and his receipt therefor shall be forwarded with the application for such passport to the office of the Secretary of State, or any agent appointed by him. And the collectors shall account for all moneys received for passports in the manner hereinbefore provided, and a like amount shall be paid for every passport issued by any minister or consul of the United States, who shall account therefor to the treasury.

Advertisements.

ADVERTISEMENTS.

Duty.

Returns under oath.

Duties, when payable.

Penalty for neglect.

SEC. 88. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, there shall be levied, collected, and paid by any person or persons, firm, or company, publishing any newspaper, magazine, review, or other literary, scientific, or news publication, issued periodically, on the gross receipts for all advertisements, or all matters for the insertion of which in said newspaper or other publication, as aforesaid, or in extras, supplements, sheets, or fly-leaves accompanying the same, pay is required or received, a duty of three per centum; and the person or persons, firm or company, owning, possessing, or having the care or management of any and every such newspaper or other publication, as aforesaid, shall make a list or return quarterly, commencing as heretofore mentioned, containing the gross amount of receipts as aforesaid, and the amount of duties which have accrued thereon, and render the same to the assistant assessor of the respective districts where such newspaper, magazine, review, or other literary or news publication is or may be published, which list or return shall have annexed a declaration, under oath or affirmation, to be made according to the manner and form which may be from time to time prescribed by the Commissioner of Internal Revenue, of the owner, possessor, or person having the care or management of such newspaper, magazine, review, or other publication, as aforesaid, that the same is true and correct, and shall also, quarterly, and at the time of making said list or return, pay to the collector or deputy collector of the district, as aforesaid, the full amount of said duties; and in case of neglect or refusal to comply with any of the provisions contained in this section, or to make and render said list or return, as aforesaid, for

the space of thirty days after the time when said list or return ought to have been made, as aforesaid, the assistant assessor of the respective districts shall proceed to estimate the duties, as heretofore provided in other cases of delinquency; and in case of neglect or refusal to pay the duties, as aforesaid, for the space of thirty days after said duties become due and payable, said owner, possessor, or person or persons having the care or management of said newspapers or publications, as aforesaid, shall pay, in addition thereto, a penalty of five per centum on the amount due; and in case of fraud or evasion, whereby the revenue is attempted to be defrauded, or the duty withheld, said owners, possessors, or person or persons having the care or management of said newspapers or other publications, as aforesaid, shall forfeit and pay a penalty of five hundred dollars for each offence, or for any sum fraudulently unaccounted for; and all provisions in this act in relation to liens, assessments, and collection, not incompatible herewith shall apply, to this section and the objects herein embraced: *Provided*, That in all cases where the rate or price of advertising is fixed by any law of the United States, State, or Territory, it shall be lawful for the company, person or persons, publishing said advertisements, to add the duty or tax imposed by this act to the price of said advertisements, any law, as aforesaid, to the contrary notwithstanding: *Provided, further*, That the receipts for advertisements to the amount of one thousand dollars, by any person or persons, firm, or company, publishing any newspaper, magazine, review, or other literary, scientific, news publication, issued periodically, shall be exempt from duty: *And provided, further*, That all newspapers whose circulation does not exceed two thousand copies shall be exempted from all taxes for advertisements.

Advertisements.

Penalty for neglect, &c.

Liens, collections, &c.

Duty may be added to price.

What amount of receipts exempt.

Certain newspapers exempt.

INCOME DUTY.

Income duty.

SEC. 89. *And be it further enacted*, That for the purpose of modifying and reënacting, as hereinafter provided, so much of an act, entitled "An act to provide increased revenue from imports to pay interest on the public debt, and for other purposes," approved fifth of August, eighteen hundred and sixty-one, as relates to income tax; that is to say, sections forty-nine, fifty, (except so much thereof as relates to the selection and appointment of depositaries,) and fifty-one, be, and the same are hereby, repealed.

Repeal of 1861, ch. 45, §§ 49 50 51.

Ante, pp. 309, 310.

SEC. 90. *And be it further enacted*, That there shall be levied, collected, and paid annually, upon the annual gains, profits, or income of every person residing in the United States, whether derived from any kind of property, rents, interest, dividends, salaries, or from any profession, trade, employment, or vocation carried on in the United States or elsewhere, or from any other source whatever, except as hereinafter mentioned, if such annual gains, profits, or income exceed the sum of six hundred dollars, and do not exceed the sum of ten thousand dollars, a duty of three per centum on the amount of such annual gains, profits, or income over and above the said sum of six hundred dollars; if said income exceeds the sum of ten thousand dollars, a duty of five per centum upon the amount thereof exceeding six hundred dollars; and upon the annual gains, profits, or income, rents, and dividends accruing upon any property, securities, and stocks owned in the United States by any citizen of the United States residing abroad, except as hereinafter mentioned, and not in the employment of the government of the United States, there shall be levied, collected, and paid a duty of five per centum.

Duty on income;

if over \$600 and not over \$10,000;

if over \$10,000, on rents, dividends, &c.

SEC. 91. *And be it further enacted*, That in estimating said annual gains, profits, or income, whether subject to a duty, as provided in this act, of three per centum, or of five per centum, all other national, state, and local taxes, lawfully assessed upon the property or other sources of income of any person as aforesaid, from which said annual gains, profits, or income of such person is or should be derived, shall be first deducted from the

Local and other taxes to be first deducted.

Post, p. 723.

Income duty. gains, profits, or income of the person or persons who actually pay the same, whether owner or tenant, and all gains, profits, or income derived from salaries of officers, or payments to persons in the civil, military, naval, or other service of the United States, including senators, representatives, and delegates in Congress, above six hundred dollars, or derived from interest or dividends on stock, capital, or deposits in any bank, trust company, or savings institution, insurance, gas, bridge, express, telegraph,

Post, p. 718.

steamboat, ferry-boat, or railroad company, or corporation, or on any bonds or other evidences of indebtedness of any railroad company or other corporation, which shall have been assessed and paid by said banks, trust companies, savings institutions, insurance, gas, bridge, telegraph, steamboat, ferry-boat, express, or railroad companies, as aforesaid, or derived from advertisements, or on any articles manufactured, upon which

Post, p. 718.

For what year to be assessed and collected.

specific, stamp or ad valorem duties shall have been directly assessed or paid, shall also be deducted; and the duty herein provided for shall be assessed and collected upon the income for the year ending the thirty-first day of December next preceding the time for levying and collecting said duty, that is to say, on the first day of May, eighteen hundred and sixty-three, and in each year thereafter: *Provided*, That upon such portion of said gains, profits, or income, whether subject to a duty as provided in this act of three per centum or of five per centum, which shall be derived from interest upon notes, bonds, or other securities of the United States, there shall be levied, collected, and paid a duty not exceeding one and one-half of one per centum, anything in this act to the contrary notwithstanding.

Income from United States securities.

Duties on incomes, when payable.

SEC. 92. *And be it further enacted*, That the duties on incomes herein imposed shall be due and payable on or before the thirtieth day of June, in the year eighteen hundred and sixty-three, and in each year thereafter until and including the year eighteen hundred and sixty-six and no longer; and to any sum or sums annually due and unpaid for thirty days after the thirtieth of June, as aforesaid, and for ten days after demand thereof by the collector, there shall be levied in addition thereto, the sum of five per centum on the amount of duties unpaid, as a penalty, except from the estates of deceased and insolvent persons; and if any person or persons, or party, liable to pay such duty, shall neglect or refuse to pay the same, the amount due shall be a lien in favor of the United States from the time it was so due until paid, with the interest, penalties, and costs that may accrue in addition thereto, upon all the property, and rights to property, stocks, securities, and debts of every description from which the income upon which said duty is assessed or levied shall have accrued, or may or should accrue; and in default of the payment of said duty for the space of thirty days, after the same shall have become due, and be demanded, as aforesaid, said lien may be enforced by distraint upon such property, rights to property, stocks, securities, and evidences of debt, by whomsoever holden; and for this purpose the Commissioner of Internal Revenue, upon the certificate of the collector or deputy collector that said duty is due and unpaid for the space of ten days after notice duly given or the levy of such duty, shall issue a warrant in form and manner to be prescribed by said Commissioner of Internal Revenue, under the directions of the Secretary of the Treasury, and by virtue of such warrant there may be levied on such property, rights to property, stocks, securities, and evidences of debt, a further sum, to be fixed and stated in such warrant, over and above the said annual duty, interest, and penalty for non-payment, sufficient for the fees and expenses of such levy. And in all cases of sale, as aforesaid, the certificate of such sale by the collector or deputy collector of the sale, shall give title to the purchaser, of all right, title, and interest of such delinquent in and to such property, whether the property be real or personal; and where the subject of sale shall be stocks, the certificate of said sale shall be lawful authority and notice to the

Penalty for delay in payment;

for default in payment.

Distress.

Notice.

Sale.

proper corporation, company, or association, to record the same on the books or records, in the same manner as if transferred or assigned by the person or party holding the same, to issue new certificates of stock therefor in lieu of any original or prior certificates, which shall be void whether cancelled or not; and said certificates of sale of the collector or deputy collector, where the subject of sale shall be securities or other evidences of debt, shall be good and valid receipts to the person or party holding the same, as against any person or persons, or other party holding, or claiming to hold, possession of such securities or other evidences of debt.

Certificates of sales.

SEC. 93. *And be it further enacted*, That it shall be the duty of all persons of lawful age, and all guardians and trustees, whether such trustees are so by virtue of their office as executors, administrators, or other fiduciary capacity, to make return in the list or schedule, as provided in this act, to the proper officer of internal revenue, of the amount of his or her income, or the income of such minors or persons as may be held in trust as aforesaid, according to the requirements hereinbefore stated, and in case of neglect or refusal to make such return, the assessor or assistant assessor shall assess the amount of his or her income, and proceed thereafter to collect the duty thereon in the same manner as is provided for in other cases of neglect and refusal to furnish lists or schedules in the general provisions of this act, where not otherwise incompatible, and the assistant assessor may increase the amount of the list or return of any party making such return, if he shall be satisfied that the same is understated: *Provided*, That any party, in his or her own behalf, or as guardian or trustee, as aforesaid, shall be permitted to declare, under oath or affirmation, the form and manner of which shall be prescribed by the Commissioner of Internal Revenue, that he or she was not possessed of an income of six hundred dollars, liable to be assessed according to the provisions of this act, or that he or she has been assessed elsewhere and the same year for an income duty, under authority of the United States, and shall thereupon be exempt from an income duty; or, if the list or return of any party shall have been increased by the assistant assessor, in manner as aforesaid, he or she may be permitted to declare, as aforesaid, the amount of his or her annual income, or the amount held in trust, as aforesaid, liable to be assessed, as aforesaid, and the same so declared shall be received as the sum upon which duties are to be assessed and collected.

Each person to make return of income.

Post, p. 718.

Provision in cases of neglect or refusal.

Proviso.

STAMP DUTIES.

SEC. 94. *And be it further enacted*, That on and after the first day of October, eighteen hundred and sixty-two, there shall be levied, collected, and paid, for and in respect of the several instruments, matters, and things mentioned, and described in the schedule (marked B) hereunto annexed, or for or in respect of the vellum, parchment, or paper upon which such instruments, matters, or things, or any of them, shall be written or printed, by any person or persons, or party who shall make, sign, or issue the same, or for whose use or benefit the same shall be made, signed, or issued, the several duties or sums of money set down in figures against the same, respectively, or otherwise specified or set forth in the said schedule.

Stamp duties on articles in Schedule B.

Post, p. 561.

SEC. 95. *And be it further enacted*, That if any person or persons shall make, sign, or issue, or cause to be made, signed, or issued, any instrument, document, or paper of any kind, or description whatsoever, without the same being duly stamped for denoting the duty hereby imposed thereon, or without having thereupon an adhesive stamp to denote said duty, such person or persons shall incur a penalty of fifty dollars, and such instrument, document, or paper, as aforesaid, shall be deemed invalid and of no effect.

Penalty for making, &c., instrument without using stamp.

1862, ch. 163, § 24. Post, p. 560.

Post, pp. 724, 725.

Stamps to be used only for designated duty.

SEC. 96. *And be it further enacted,* That no stamp appropriated to denote the duty charged on any particular instrument, and bearing the name of such instrument on the face thereof, shall be used for denoting any other duty of the same amount, or if so used the same shall be of no avail.

Stamped paper, &c. to be so used.

SEC. 97. *And be it further enacted,* That no vellum, parchment, or paper, bearing a stamp appropriated by name to any particular instrument, shall be used for any other purpose, or if so used the same shall be of no avail.

Forging or counterfeiting stamps, or dies, &c., how punished.

SEC. 98. *And be it further enacted,* That if any person shall forge or counterfeit, or cause or procure to be forged or counterfeited, any stamp or die, or any part of any stamp or die, which shall have been provided, made, or used in pursuance of this act, or shall forge, counterfeit, or resemble, or cause or procure to be forged, counterfeited, or resembled, the impression, or any part of the impression, of any such stamp or die, as aforesaid, upon any vellum, parchment, or paper, or shall stamp or mark, or cause or procure to be stamped or marked, any vellum, parchment, or paper, with any such forged or counterfeited stamp or die, or part of any stamp or die, as aforesaid, with intent to defraud the United States of any of the duties hereby imposed, or any part thereof, or if any person shall utter, or sell, or expose to sale, any vellum, parchment, or paper, article or thing, having thereupon the impression of any such counterfeited stamp or die, or any part of any stamp or die, or any such forged, counterfeited, or resembled impression, or part of impression, as aforesaid, knowing the same respectively to be forged, counterfeited, or resembled; or if any person shall knowingly use any stamp or die which shall have been so provided, made or used, as aforesaid, with intent to defraud the United States; or if any person shall fraudulently cut, tear, or get off, or cause or procure to be cut, torn, or got off, the impression of any stamp or die which shall have been provided, made, or used in pursuance of this act, from any vellum, parchment, or paper, or any instrument or writing charged or chargeable with any of the duties hereby imposed, then, and in every such case, every person so offending, and every person knowingly and wilfully aiding, abetting, or assisting in committing any such offence as aforesaid, shall be deemed guilty of felony, and shall, on conviction thereof, forfeit the said counterfeit stamps and the articles upon which they are placed, and be punished by fine not exceeding one thousand dollars, and by imprisonment and confinement to hard labor not exceeding five years.

Using a forged stamp, &c.

Persons using certain stamps to mark them.

Post, p. 721.

Penalty for neglect.

Certain persons may furnish their own stamps, &c.

Stamp, how destroyed.

SEC. 99. *And be it further enacted,* That in any and all cases where an adhesive stamp shall be used for denoting any duty imposed by this act, except as hereinafter provided, the person using or affixing the same shall write thereupon the initials of his name, and the date upon which the same shall be attached or used, so that the same may not again be used. And if any person shall fraudulently make use of an adhesive stamp to denote any duty imposed by this act without so effectually cancelling and obliterating such stamp, except as before mentioned, he, she, or they shall forfeit the sum of fifty dollars: *Provided, nevertheless,* That any proprietor or proprietors of proprietary articles, or articles subject to stamp duty under schedule C of this act, shall have the privilege of furnishing, without expense to the United States, in suitable form, to be approved by the Commissioner of Internal Revenue, his or their own dies or designs for stamps to be used thereon, to be retained in the possession of the Commissioner of Internal Revenue, for his or their separate use, which shall not be duplicated to any other person. That in all cases where such stamp is used, instead of his or their writing, his or their initials and the date thereon, the said stamp shall be so affixed on the box, bottle, or package, that in opening the same, or using the contents thereof, the said stamp shall be effectually destroyed; and in default thereof shall

be liable to the same penalty imposed for neglect to affix said stamp as hereinbefore prescribed in this act. Any person who shall fraudulently obtain or use any of the aforesaid stamps or designs therefor, and any person forging, or counterfeiting, or causing or procuring the forging or counterfeiting any representation, likeness, similitude or colorable imitation of the said last-mentioned stamp, or any engraver or printer who shall sell or give away said stamps, or selling the same, or, being a merchant, broker, peddler, or person dealing, in whole or in part, in similar goods, wares, merchandise, manufactures, preparations, or articles, or those designed for similar objects or purposes, shall have knowingly or fraudulently in his, her, or their possession any such forged, counterfeited likeness, similitude, or colorable imitation of the said last-mentioned stamp, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be subject to all the penalties, fines, and forfeitures prescribed in section ninety-three [eight] of this act.

Private stamps.
Penalty for forging, &c.

Post, p. 718.

SEC. 100. *And be it further enacted*, That if any person or persons shall make, sign, or issue, or cause to be made, signed, or issued, or shall accept or pay, or cause to be accepted or paid, with design to evade the payment of any stamp duty, any bill of exchange, draft or order, or promissory note for the payment of money, liable to any of the duties imposed by this act, without the same being duly stamped, or having thereupon an adhesive stamp for denoting the duty hereby charged thereon, he, she, or they shall, for every such bill, draft, order, or note, forfeit the sum of two hundred dollars.

Penalty for making, &c., bills of exchange &c., without stamps, &c.

SEC. 101. *And be it further enacted*, That the acceptor or acceptors of any bill of exchange or order for the payment of any sum of money drawn, or purporting to be drawn, in any foreign country, but payable in the United States, shall, before paying or accepting the same, place thereupon a stamp indicating the duty upon the same, as the law requires for inland bills of exchange, or promissory notes; and no bill of exchange shall be paid or negotiated without such stamp; and if any person shall pay or negotiate, or offer in payment, or receive or take in payment, any such draft or order, the person or persons so offending shall forfeit the sum of one hundred dollars.

Acceptors of bills of exchange to place stamps thereon.

Penalty for paying, &c. without stamp.

SEC. 102. *And be it further enacted*, That the Commissioner of Internal Revenue, be, and is hereby, authorized to sell to and supply collectors, deputy collectors, postmasters, stationers, or any other persons, at his discretion, with adhesive stamps or stamped paper, vellum, or parchment, as herein provided for, upon the payment, at the time of delivery, of the amount of duties said stamps, stamped paper, vellum, or parchment, so sold or supplied, represent, and may thereupon allow and deduct from the aggregate amount of such stamps, as aforesaid, the sum of not exceeding five per centum as commission to the collectors, postmasters, stationers, or other purchasers; but the cost of any paper, vellum, or parchment shall be added to the amount, after deducting the allowance of per centum, as aforesaid: *Provided*, That no commission shall be allowed on any sum or sums so sold or supplied of less amount than fifty dollars. *And provided, further*, That any proprietor or proprietors of articles named in schedule C, who shall furnish his or their own die or design for stamps, to be used especially for his or their own proprietary articles, shall be allowed the following discount, namely: on amounts purchased at one time of not less than fifty nor more than five hundred dollars, five per centum; on amounts over five hundred dollars, ten per centum. The Commissioner of Internal Revenue may from time to time make regulations for the allowance of such of the stamps issued under the provisions of this act as may have been spoiled or rendered useless or unfit for the purpose intended, or for which the owner may have no use, or which through mistake may have been improperly or unnecessarily used, or where the rates or duties represented thereby have been paid in error or remitted; and such allowance

Commissioner to sell stamps to certain officials and other persons.

Post, p. 718.

Commission.

Post, p. 718.

Proviso.

Discount to persons furnishing their own stamps.

Post, p. 718.

Allowance to be made for stamps rendered useless, &c.

shall be made either by giving other stamps in lieu of the stamps so allowed for, or by repaying the amount or value, after deducting therefrom, in case of repayment, the sum of five per centum to the owner thereof.

Commissioner may decide whether any instrument is liable to stamp duty.

Special stamp in such case.

Telegraph companies not to send, &c., messages, unless, &c.

Express companies not to receive articles for transportation without stamp.

Articles in schedule C subject to provisions of this act.

Drugs, cosmetics, &c., not to be sold, &c., without stamp.

Post, pp. 727, 728.

Proviso.

SEC. 103. *And be it further enacted*, That it shall be lawful for any person to present to the Commissioner of Internal Revenue any instrument, and require his opinion whether or not the same is chargeable with any duty; and if the said commissioner shall be of opinion that such instrument is not chargeable with any stamp duty, it shall be lawful for him, and he is hereby required, to impress thereon a particular stamp, to be provided for that purpose, with such word or words or device thereon as he shall judge proper, which shall signify and denote that such instrument is not chargeable with any stamp duty; and every such instrument upon which the said stamp shall be impressed shall be deemed to be not so chargeable, and shall be received in evidence in all courts of law or equity, notwithstanding any objections made to the same, as being chargeable with stamp duty, and not stamped to denote the same.

SEC. 104. *And be it further enacted*, That on and after the date on which this act shall take effect, no telegraph company or its agent or employee shall receive from any person, or transmit to any person, any despatch or message without an adhesive stamp denoting the duty imposed by this act being affixed to a copy thereof, or having the same stamped thereupon, and in default thereof shall incur a penalty of ten dollars: *Provided*, That only one stamp shall be required, whether sent through one or more companies.

SEC. 105. *And be it further enacted*, That on and after the date on which this act shall take effect, no express company or its agent or employee shall receive for transportation from any person any bale, bundle, box, article, or package of any description, without either delivering to the consignor thereof a printed receipt, having stamped or affixed thereon a stamp denoting the duty imposed by this act, or without affixing thereto an adhesive stamp or stamps denoting such duty, and in default thereof shall incur a penalty of ten dollars: *Provided*, That but one stamped receipt or stamp shall be required for each shipment from one party to another party at the same time, whether such shipment consists of one or more packages: *And provided, also*, That no stamped receipts or stamp shall be required for any bale, bundle, box, article, or package transported for the government, nor for such bales, bundles, boxes, or packages as are transported by such companies without charge thereon.

SEC. 106. *And be it further enacted*, That all the provisions of this act relating to dies, stamps, adhesive stamps, and stamp duties, shall extend to and include (except where manifestly inapplicable) all the articles or objects enumerated in schedule marked C, subject to stamp duties, and apply to the provisions in relation thereto.

SEC. 107. *And be it further enacted*, That on and after the first day of August, eighteen hundred and sixty-two, no person or persons, firms, companies, or corporations, shall make, prepare, and sell, or remove for consumption or sale, drugs, medicines, preparations, compositions, articles, or things, including perfumery, cosmetics, and playing-cards, upon which a duty is imposed by this act, as enumerated and mentioned in schedule C, without affixing thereto an adhesive stamp or label denoting the duty before mentioned, and in default thereof shall incur a penalty of ten dollars: *Provided*, That nothing in this act contained shall apply to any un-compounded medicinal drug or chemical, nor to any medicine compounded according to the United States or other national pharmacopœia, nor of which the full and proper formula is published in either of the dispensatories, formularies, or text-books in common use among physicians and apothecaries, including homœopathic and eclectic, or in any pharmaceutical journal now used by any incorporated college of pharmacy, and

not sold or offered for sale, or advertised under any other name, form, or guise, than that under which they may be severally denominated and laid down in said pharmacopœias, dispensatories, text-books, or journals, as aforesaid, nor to medicines sold to or for the use of any person, which may be mixed and compounded specially for said persons, according to the written recipe or prescription of any physician or surgeon.

SEC. 108. *And be it further enacted,* That every manufacturer or maker of any of the articles for sale mentioned in schedule C, after the same shall have been so made, and the particulars hereinbefore required as to stamps have been complied with, who shall take off, remove, or detach, or cause or permit, or suffer to be taken off, or removed or detached, any stamp, or who shall use any stamp, or any wrapper or cover to which any stamp is affixed, to cover any other article or commodity than that originally contained in such wrapper or cover, with such stamp when first used, with the intent to evade the stamp duties, shall for every such article, respectively, in respect of which any such offence shall be committed, be subject to a penalty of fifty dollars, to be recovered, together with the costs thereupon accruing, and every such article or commodity as aforesaid shall also be forfeited.

Penalty on makers of drugs, &c., for removing, &c., stamp;

Post, pp. 727, 728.

SEC. 109. *And be it further enacted,* That every maker or manufacturer of any of the articles or commodities mentioned in schedule C, as aforesaid, who shall sell, send out, remove, or deliver any article or commodity, manufactured as aforesaid, before the duty thereon shall have been fully paid, by affixing thereon the proper stamp, as in this act provided, or who shall hide or conceal, or cause to be hidden or concealed, or who shall remove or convey away, or deposit, or cause to be removed or conveyed away from or deposited in any place, any such article or commodity, to evade the duty chargeable thereon, or any part thereof, shall be subject to a penalty of one hundred dollars, together with the forfeiture of any such article or commodity: *Provided,* That medicines, preparations, compositions, perfumery, and cosmetics, upon which stamp duties are required by this act, may, when intended for exportation, be manufactured and sold, or removed without having stamps affixed thereto, and without being charged with duty, as aforesaid; and every manufacturer or maker of any article, as aforesaid, intended for exportation, shall give such bonds and be subject to such rules and regulations to protect the revenue against fraud as may be from time to time prescribed by the Secretary of the Treasury.

for selling without stamp.

In cases of exportation

SEC. 110. *And be it further enacted,* That every manufacturer or maker of any of the articles or commodities, as aforesaid, or his chief workman, agent, or superintendent, shall at the end of each and every month make and sign a declaration in writing that no such article or commodity, as aforesaid, has, during such preceding month, or time when the last declaration was made, been removed, carried, or sent, or caused, or suffered, or known to have been removed, carried, or sent from the premises of such manufacturer or maker, other than such as have been duly taken account of and charged with the stamp duty, on pain of such manufacturer or maker forfeiting for every refusal or neglect to make such declaration one hundred dollars; and if any such manufacturer or maker, or his chief workman, agent, or superintendent, shall make any false or untrue declaration, such manufacturer or maker, or chief workman, agent, or superintendent, making the same, shall forfeit five hundred dollars.

Monthly statement in writing.

SCHEDULE B.

STAMP DUTIES.

Stamp duties.

Agreement or contract, other than those specified in this schedule; any appraisement of value or damage, or for any other purpose;

Agreements.

		<i>Duty.</i>
		Dolls. cts.
	for every sheet or piece of paper upon which either of the same shall be written.....	5
Bank checks.	Bank check, draft, or order for the payment of any sum of money exceeding twenty dollars, drawn upon any bank, trust company, or any person or persons, companies, or corporations at sight or on demand, two cents.....	2
Bills of exchange, inland.	Bill of exchange, (inland,) draft, or order for the payment of any sum of money exceeding twenty and not exceeding one hundred dollars, otherwise than at sight or on demand, or any promissory note except bank notes issued for circulation, for a sum exceeding twenty and not exceeding one hundred dollars, five cents.....	5
<i>Post, p. 720.</i>	Exceeding one hundred dollars and not exceeding two hundred dollars, ten cents.....	10
	Exceeding two hundred dollars and not exceeding three hundred and fifty dollars, fifteen cents.....	15
	Exceeding three hundred and fifty dollars and not exceeding five hundred dollars, twenty cents.....	20
	Exceeding five hundred dollars and not exceeding seven hundred and fifty dollars, thirty cents.....	30
	Exceeding seven hundred and fifty dollars and not exceeding one thousand dollars, forty cents.....	40
	Exceeding one thousand dollars and not exceeding fifteen hundred dollars, sixty cents.....	60
	Exceeding fifteen hundred dollars and not exceeding twenty-five hundred dollars, one dollar.....	1 00
	Exceeding twenty-five hundred dollars and not exceeding five thousand dollars, one dollar and fifty cents.....	1 50
	And for every twenty-five hundred dollars, or part of twenty-five hundred dollars in excess of five thousand dollars, one dollar.....	1 00
Bills of exchange, foreign.	Bill of exchange (foreign) or letter of credit, drawn in but payable out of the United States, if drawn singly, or otherwise than in a set of three or more, according to the custom of merchants and bankers, shall pay the same rates of duty as inland bills of exchange or promissory notes.	
	If drawn in sets of three or more: For every bill of each set, where the sum made payable shall not exceed one hundred and fifty dollars, or the equivalent thereof, in any foreign currency in which such bills may be expressed, according to the standard of value fixed by the United States, three cents.....	3
	Above one hundred and fifty dollars and not above two hundred and fifty dollars, five cents.....	5
	Above two hundred and fifty dollars and not above five hundred dollars, ten cents.....	10
	Above five hundred dollars and not above one thousand dollars, fifteen cents.....	15
	Above one thousand dollars and not above one thousand five hundred dollars, twenty cents.....	20
	Above one thousand five hundred dollars and not above two thousand two hundred and fifty dollars, thirty cents.....	30
	Above two thousand two hundred and fifty dollars and not above three thousand five hundred dollars, fifty cents.....	50
	Above three thousand five hundred dollars and not above five thousand dollars, seventy cents.....	70
	Above five thousand dollars and not above seven thousand five hundred dollars, one dollar.....	1 00

		<i>Duty.</i>		
		Dolls.	cts.	
And for every two thousand five hundred dollars, or part thereof, in excess of seven thousand five hundred dollars, thirty cents..	30			
Bill of lading or receipt, (other than charter-party,) for any goods, merchandise, or effects, to be exported from a port or place in the United States to any foreign port or place, ten cents.....	10			Bills of lading.
Express. — For every receipt or stamp issued, or issued by any express company, or carrier, or person whose occupation it is to act as such, for all boxes, bales, packages, articles, or bundles, for the transportation of which such company, carrier, or person, shall receive a compensation of not over twenty-five cents, one cent.	1			Expresses.
When such compensation exceeds the sum of twenty-five cents, and not over one dollar, two cents.....	2			
When one or more packages are sent to the same address at the same time, and the compensation therefor exceeds one dollar, five cents.....	5			
Bond. — For indemnifying any person who shall have become bound or engaged as surety for the payment of any sum of money, or for the due execution or performance of the duties of any office, and to account for money received by virtue thereof, fifty cents.....	50			Bond.
Bond of any description other than such as may be required in legal proceedings and such as are not otherwise charged in this schedule, twenty-five cents.....	25			
Certificate of stock in any incorporated company, twenty-five cents	25			Certificates.
Certificate of profits, or any certificate or memorandum showing an interest in the property or accumulations of any incorporated company, if for a sum not less than ten dollars and not exceeding fifty dollars, ten cents.....	10			
For a sum exceeding fifty dollars, twenty-five cents.....	25			
Certificate. — Any certificate of damage, or otherwise, and all other certificates or documents issued by any port warden, marine surveyor, or other person acting as such, twenty-five cents	25			
Certificate of deposit of any sum of money in any bank or trust company, or with any banker or person acting as such —				
If for a sum not exceeding one hundred dollars, two cents.....	2			
For a sum exceeding one hundred dollars, five cents.....	5			
Certificate of any other description than those specified, ten cents	10			
Charter-party. — Contract or agreement for the charter of any ship or vessel, or steamer, or any letter, memorandum, or other writing between the captain, master, or owner, or person acting as agent of any ship or vessel, or steamer, and any other person or persons for or relating to the charter of such ship or vessel or steamer, if the registered tonnage of such ship or vessel, or steamer, does not exceed three hundred tons, three dollars...	3 00			Charter-party.
Exceeding three hundred tons, and not exceeding six hundred tons, five dollars.....	5 00			
Exceeding six hundred tons, ten dollars.....	10 00			
Contract. — Broker's note, or memorandum of sale of any goods or merchandise, stocks, bonds, exchange, notes of hand, real estate, or property of any kind or description issued by brokers or persons acting as such, ten cents.....	10			Contract.
Conveyance. — Deed, instrument, or writing, whereby any lands, tenements, or other realty sold shall be granted, assigned, transferred, or otherwise conveyed to, or vested in, the purchaser or purchasers, or any other person or persons by his, her, or their direction, when the consideration or value exceeds one hundred dollars and does not exceed five hundred dollars, fifty cents....	50			Conveyance.

Post, pp. 721, 722.

Post, pp. 720, 721.

Post, p. 721.

		<i>Duty.</i>
		Dolls. cts.
	When the consideration exceeds five hundred dollars and does not exceed one thousand dollars, one dollar.....	1 00
	Exceeding one thousand dollars and not exceeding two thousand five hundred dollars, two dollars.....	2 00
	Exceeding two thousand five <i>thousand</i> [hundred] dollars and not exceeding five thousand dollars, five dollars.....	5 00
	Exceeding five thousand dollars and not exceeding ten thousand dollars, ten dollars.....	10 00
	Exceeding ten thousand dollars and not exceeding twenty thousand dollars, twenty dollars.....	20 00
	And for every additional ten thousand dollars, or fractional part thereof, in excess of twenty thousand dollars, twenty dollars..	20 00
Despatch, tele- graphic.	Despatch, telegraphic. — Any despatch or message, the charge for which for the first ten words does not exceed twenty cents, one cent.....	1
	When the charge for the first ten words exceeds twenty cents, three cents.....	3
Entry.	Entry of any goods, wares, or merchandise at any custom-house, either for consumption or warehousing, not exceeding one hundred dollars in value, twenty-five cents.....	25
	Exceeding one hundred dollars and not exceeding five hundred dollars in value, fifty cents.....	50
	Exceeding five hundred dollars in value, one dollar.....	1 00
	Entry for the withdrawal of any goods or merchandise from bonded warehouse, fifty cents.....	50
Insurance, life; <i>Post</i> , pp. 719, 723.	Insurance (life). — Policy of insurance, or other instrument by whatever name the same shall be called, whereby any insurance shall be made upon any life or lives —	
	When the amount insured shall not exceed one thousand dollars, twenty-five cents.....	25
	Exceeding one thousand and not exceeding five thousand dollars, fifty cents.....	50
	Exceeding five thousand dollars, one dollar.....	1 00
marine and inland.	Insurance, (marine and inland) — Each policy of insurance or other instrument, by whatever name the same shall be called, by which insurance shall be made or renewed, upon property of any description, whether against perils by the sea or by fire, or its agents, or by any other company or person, twenty-five cents..	25
Lease, &c.	Lease, agreement, memorandum, or contract for the hire, use, or rent of any land, tenement, or portion thereof —	
	If for a period of time not exceeding three years, fifty cents....	50
	If for a period exceeding three years, one dollar.....	1 00
Manifest.	Manifest for custom-house entry or clearance of the cargo of any ship, vessel, or steamer, for a foreign port —	
	If the registered tonnage of such ship, vessel, or steamer does not exceed three hundred tons, one dollar.....	1 00
	Exceeding three hundred tons, and not exceeding six hundred tons, three dollars.....	3 00
	Exceeding six hundred tons, five dollars.....	5 00
Mortgage. <i>Post</i> , p. 721.	Mortgage of lands, estate, or property, real or personal, heritable or movable whatsoever, where the same shall be made as a security for the payment of any definite and certain sum of money lent at the time, or previously due and owing or forborne to be paid, being payable; also any conveyance of any lands, estate, or property whatsoever, in trust to be sold or otherwise converted into money, which shall be intended only as security,	

		<i>Duty.</i>	
		Dolls.	cts.
and shall be redeemable before the sale or other disposal thereof, either by express stipulation or otherwise; or any personal bond given as security for the payment of any definite or certain sum of money exceeding one hundred dollars, and not exceeding five hundred dollars, fifty cents		50	
Exceeding five hundred dollars, and not exceeding one thousand dollars, one dollar		1	00
Exceeding one thousand dollars, and not exceeding two thousand five hundred dollars, two dollars		2	00
Exceeding two thousand five hundred dollars, and not exceeding five thousand dollars, five dollars		5	00
Exceeding five thousand dollars, and not exceeding ten thousand dollars, ten dollars		10	00
Exceeding ten thousand dollars, and not exceeding twenty thousand dollars, fifteen dollars		15	00
And for every additional ten thousand dollars, or fractional part thereof, in excess of twenty thousand dollars, ten dollars		10	00
Passage ticket, by any vessel from a port in the United States to a foreign port, if less than thirty dollars, fifty cents	Passage ticket. <i>Post</i> , p. 720.	50	
Exceeding thirty dollars, one dollar		1	00
Power of attorney for the sale or transfer of any stock, bonds, or scrip, or for the collection of any dividends or interest thereon, twenty-five cents	Power of attorney. <i>Post</i> , p. 720.	25	
Power of attorney or proxy for voting at any election for officers of any incorporated company or society except religious, charitable, or literary societies, or public cemeteries, ten cents		10	
Power of attorney to receive or collect rent, twenty-five cents		25	
Power of attorney to sell and convey real estate, or to rent or lease the same, or to perform any and all other acts not hereinbefore specified, one dollar		1	00
Probate of will, or letters of administration: Where the estate and effects for or in respect of which such probate or letters of administration applied for shall be sworn or declared not to exceed the value of two thousand five hundred dollars, fifty cents	Probate of will.	50	
To exceed two thousand five hundred dollars and not exceeding five thousand dollars, one dollar		1	00
To exceed five thousand dollars and not exceeding twenty thousand dollars, two dollars		2	00
To exceed twenty thousand dollars and not exceeding fifty thousand dollars, five dollars		5	00
To exceed fifty thousand dollars and not exceeding one hundred thousand dollars, ten dollars		10	00
Exceeding one hundred thousand dollars and not exceeding one hundred and fifty thousand dollars, twenty dollars		20	00
And for every additional fifty thousand dollars, or fractional part thereof, ten dollars		10	00
Protest. — Upon the protest of every note, bill of exchange, acceptance, check or draft, or any marine protest, whether protested by a notary public or by any other officer who may be authorized by the law of any State or States to make such protest, twenty-five cents	Protest.	25	
Warehouse receipt for any goods, merchandise, or property of any kind held on storage in any public or private warehouse or yard, twenty-five cents	Warehouse receipt.	25	
Legal documents:			
Writ, or other original process by which any suit is commenced in any court of record, either law or equity, fifty cents	Legal documents. Writ.	50	

Duty.
Dolls. cts.

Suits by States,
&c. and crim-
inal process
exempt.

Provided, That no writ, summons, or other process issued by a justice of the peace, or issued in any criminal or other suits commenced by the United States or any State, shall be subject to the payment of stamp duties: *And provided, further*, That the stamp duties imposed by the foregoing schedule B on manifests, bills of lading, and passage tickets, shall not apply to steamboats or other vessels plying between ports of the United States and ports in British North America.

Schedule C.

SCHEDULE C.

Medicines or
preparations.

Medicines or preparations. — For and upon every packet, box, bottle, pot, phial, or other enclosure, containing any pills, powders, finctures, troches or lozenges, syrups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences, spirits, oils, or other preparations or compositions whatsoever, made and sold, or removed for consumption and sale, by any person or persons whatever, wherein the person making or preparing the same has, or claims to have, any private formula or occult secret or art for the making or preparing the same, or has, or claims to have, any exclusive right or title to the making or preparing the same, or which are prepared, uttered, vended, or exposed for sale under any letters-patent, or held out or recommended to the public by the makers, venders, or proprietors thereof as proprietary medicines, or as remedies or specifics for any disease, diseases, or affections whatever affecting the human or animal body, as follows: where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall not exceed, at the retail price or value, the sum of twenty-five cents, one cent. 1

Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of twenty-five cents, and not exceed the retail price or value of fifty cents, two cents. 2

Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of fifty cents, and shall not exceed the retail price or value of seventy-five cents, three cents. 3

When such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of seventy-five cents, and shall not exceed the retail price or value of one dollar, four cents. 4

When such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of one dollar, for each and every fifty cents or fractional part thereof over and above one dollar, as before mentioned, an additional two cents. 2

Perfumery and
cosmetics.

Perfumery and cosmetics. — For and upon every packet, box, bottle, pot, phial, or other enclosure, containing any essence, extract, toilet, water, cosmetic, hair oil, pomade, hairdressing, hair restorative, hair dye, toothwash, dentrifice, tooth paste, aromatic cachous, or any similar articles, by whatsoever name the same heretofore have been, now are, or may hereafter be called, known, or distinguished, used or applied, or to be used or applied as perfumes or applications to the hair, mouth, or skin, made, prepared, and sold or removed for consumption and sale in the United States, where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall not exceed

Duty.
Dolls. cts.

at the retail price or value the sum of twenty-five cents, one cent.....	1	
Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of twenty-five cents, and shall not exceed the retail price or value of fifty cents, two cents.....	2	
Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of fifty cents, and shall not exceed the retail price or value of seventy-five cents, three cents.....	3	
Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of seventy-five cents, and shall not exceed the retail price or value of one dollar, four cents.....	4	
Where such packet, box, bottle, pot, phial, or other enclosure, with its contents, shall exceed the retail price or value of one dollar, for each and every fifty cents or fractional part thereof over and above the one dollar, as before mentioned, an additional two cents.....	2	
Playing cards. — For and upon every pack of whatever number, when the price per pack does not exceed eighteen cents, one cent.....	1	Playing cards.
Over eighteen cents and not exceeding twenty-five cents per pack, two cents.....	2	
Over twenty-five and not exceeding thirty cents per pack, three cents.....	3	
Over thirty and not exceeding thirty-six cents per pack, four cents	4	
Over thirty-six cents per pack, five cents.....	5	

LEGACIES AND DISTRIBUTIVE SHARES OF PERSONAL PROPERTY.

Legacies and distributive shares of personal property.

SEC. 111. *And be it further enacted,* That any person or persons having in charge or trust, as administrators, executors, or trustees of any legacies or distributive shares arising from personal property, of any kind whatsoever, where the whole amount of such personal property, as afore said, shall exceed the sum of one thousand dollars in actual value, passing from any person who may die after the passage of this act possessed of such property, either by will or by the intestate laws of any State or Territory, or any part of such property or interest therein, transferred by deed, grant, bargain, sale, or gift, made or intended to take effect in possession or enjoyment after the death of the grantor or bargainor, to any person or persons, or to any body or bodies politic or corporate, in trust or otherwise, shall be, and hereby are, made subject to a duty or tax, to be paid to the United States, as follows, that is to say :

First. Where the person or persons entitled to any beneficial interest in such property shall be the lineal issue or lineal ancestor, brother or sister, to the person who died possessed of such property, as aforesaid, at and after the rate of seventy-five cents for each and every hundred dollars of the clear value of such interest in such property.

Second. Where the person or persons entitled to any beneficial interest in such property shall be a descendant of a brother or sister of the person who died possessed, as aforesaid, at and after the rate of one dollar and fifty cents for each and every hundred dollars of the clear value of such interest.

Third. Where the person or persons entitled to any beneficial interest in such property shall be a brother or sister of the father or mother, or a descendant of a brother or sister of the father or mother of the person who

Legacies or distributive shares of personal property.

died possessed, as aforesaid, at and after the rate of three dollars for each and every hundred dollars of the clear value of such interest.

Fourth. Where the person or persons entitled to any beneficial interest in such property shall be a brother or sister of the grandfather or grandmother, or a descendant of the brother or sister of the grandfather or grandmother of the person who died possessed, as aforesaid, at and after the rate of four dollars for each and every hundred dollars of the clear value of such interest.

Fifth. Where the person or persons entitled to any beneficial interest in such property shall be in any other degree of collateral consanguinity than is hereinbefore stated, or shall be a stranger in blood to the person who died possessed, as aforesaid, or shall be a body politic or corporate, at and after the rate of five dollars for each and every hundred dollars of the clear value of such interest: *Provided*, That all legacies or property passing by will, or by the laws of any State or Territory, to husband or wife of the person who died possessed, as aforesaid, shall be exempt from tax or duty.

Duty to be a lien.

SEC. 112. *And be it further enacted*, That the tax or duty aforesaid shall be a lien and charge upon the property of every person who may die as aforesaid, until the same shall be fully paid to and discharged by the United States; and every executor, administrator, or other person who may take the burden or trust of administration upon such property shall, after taking such burden or trust, and before paying and distributing any portion thereof to the legatees or any parties entitled to beneficial interest therein, pay to the collector or deputy collector of the district the amount of the duty or tax, as aforesaid, and shall also make and render to the assistant assessor of the district a schedule, list, or statement of the amount of such property, together with the amount of duty which has accrued or should accrue thereon, verified by his oath or affirmation, to be administered and certified thereon by some magistrate or officer having lawful power to administer such oaths, in such form and manner as may be prescribed by the Commissioner of Internal Revenue, which schedule, list, or statement shall contain the names of each and every person entitled to any beneficial interest therein, together with the clear value of such interest, which schedule, list, or statement shall be by him delivered to such collector; and upon such payment and delivery of such schedule, list, or statement, said collector or deputy collector, shall grant to such person paying such duty or tax a receipt or receipts for the same in duplicate, which shall be prepared as is hereinafter provided; such receipt or receipts, duly signed and delivered by such collector or deputy collector, shall be sufficient evidence to entitle the person who paid such duty or tax as having taken the burden or trust of administering such property or personal estate to be allowed for such payment by the person or persons entitled to the beneficial interest in respect to which such tax or duty was paid; and such person administering such property or personal estate shall be credited and allowed such payment by every tribunal which, by the laws of any State or Territory, is or may be empowered to decide upon and settle the accounts of executors and administrators; and in case such person who has taken the burden or trust of administering upon any such property or personal estate shall refuse or neglect to pay the aforesaid duty or tax to the collector or deputy collector, as aforesaid, within the time hereinbefore provided, or shall neglect or refuse to deliver to said collector or deputy collector the schedule, list, or statement of such legacies, property, or personal estate under oath, as aforesaid, or shall deliver to said collector or deputy collector a false schedule or statement of such legacies, property, or personal estate, or give the names and relationship of the persons entitled to beneficial interests therein untruly, or shall not truly and correctly set forth and state therein the clear value of such beneficial interest, or where no administra-

Executor, &c. to pay the duty, &c.

Post, p. 718.

Penalty for neglect, &c.

tion upon such property or personal estate shall have been granted or allowed under existing laws, the proper officer of the United States shall commence such proceedings in law or equity before any court of the United States as may be proper and necessary to enforce and realize the lien or charge upon such property or personal estate, or any part thereof, for which such tax or duty has not been truly and justly paid. Under such proceedings the rate of duty or tax enforced shall be the highest rate imposed or assessed by this act, and shall be in the name of the United States against such person or persons as may have the actual or constructive custody or possession of such property or personal estate, or any part thereof, and shall subject such property or personal estate, or any portion of the same, to be sold upon the judgment or decree of such court, and from the proceeds of such sale, the amount of such tax or duty, together with all costs and expenses of every description to be allowed by such court, shall be first paid, and the balance, if any, deposited according to the order of such court, to be paid under its direction to such person or persons as shall establish their lawful title to the same. The deed or deeds, or any proper conveyance of such property or personal estate, or any portion thereof, so sold under such judgment or decree, executed by the officer lawfully charged with carrying the same into effect, shall vest in the purchaser thereof all the title of the delinquent to the property or personal estate sold under and by virtue of such judgment or decree, and shall release every other portion of such property or personal estate from the lien or charge thereon created by this act. And every person or persons who shall have in his possession, charge, or custody, any record, file, or paper, containing or supposed to contain any information concerning such property or personal estate, as aforesaid, passing from any person who may die, as aforesaid, shall exhibit the same at the request of the collector of the revenue, his deputy, or agent, and to any law officer of the United States, in the performance of his duty under this act, his deputy or agent, who may desire to examine the same; and if any such person, having in his possession, charge, or custody, any such records, files, or papers, shall refuse or neglect to exhibit the same on request, as aforesaid, he shall forfeit and pay the sum of five hundred dollars; and in case of any delinquency in making the schedule, list, or statement, or in the payment of the duty or tax accruing, or which should accrue thereon, the assessment and collection shall be made as provided for in the general provisions of this act: *Provided*, In all legal controversies where such deed or title shall be the subject of judicial investigation the recital in said deed shall be presumed to be true, and that the requirements of the law had been complied with by the officers of the government.

SEC. 113. *And be it further enacted*, That whenever by this act any license, duty, or tax of any description has been imposed on any corporate body, or property of any incorporated company, it shall be lawful for the Commissioner of Internal Revenue to prescribe and determine in what district such tax shall be assessed and collected, and to what officer thereof the official notices required in that behalf shall be given, and of whom payment of such tax shall be demanded.

SEC. 114. *And be it further enacted*, That all articles upon which duties are imposed by the provisions of this act, which shall be found in the possession of any person or persons for the purpose of being sold by such person or persons in fraud thereof and with the design to avoid payment of said duties, may be seized by any collector or deputy collector who shall have reason to believe that the same are possessed for the purpose aforesaid, and the same shall be forfeited to the United States. And the proceedings to enforce said forfeiture shall be in the nature of a proceeding in rem in the circuit or district court of the United States for the district where such seizure is made, or in any other court of competent jurisdiction. And any person who shall have in his possession any such

Where there is no executor, &c.

Rate of duty in such cases.

Tax deeds.

Records, &c. to be exhibited.

Penalty for neglect.

Provido.

Duties on corporations, how assessed and collected.

Articles on which duties are imposed, forfeited in what cases.

articles for the purpose of selling the same with the design of avoiding payment of the duties imposed thereon by this act, shall be liable to a penalty of one hundred dollars, to be recovered as hereinbefore provided.

APPROPRIATION.

Appropriation. SEC. 115. *And be it further enacted,* That the pay of the assessors, assistant assessors, collectors, and deputy collectors, shall be paid out of the accruing internal duties or taxes before the same is paid into the treasury, according to such regulations as the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, shall prescribe; and for the purpose of paying the Commissioner of Internal Revenue and clerks, procuring dies, stamps, adhesive stamps, paper, printing forms and regulations, advertising, and any other expenses of carrying this act into effect, the sum of five hundred thousand dollars be, and hereby is, appropriated, or so much thereof as may be necessary.

ALLOWANCE AND DRAWBACK.

Allowance and drawback. SEC. 116. *And be it further enacted,* That from and after the date on which this act takes effect there shall be an allowance or drawback on all articles on which any internal duty or tax shall have been paid, except raw or unmanufactured cotton, equal in amount to the duty or tax paid thereon, and no more, when exported, the evidence that any such duty or tax has been paid, to be furnished to the satisfaction of the Commissioner of Internal Revenue, by such person or persons as shall claim the allowance or drawback, and the amount to be ascertained under such regulations as shall, from time to time, be prescribed by the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury, and the same shall be paid by the warrant of the Secretary of the Treasury on the Treasurer of the United States, out of any money arising from internal duties not otherwise appropriated: *Provided,* That no allowance or drawback shall be made or had for any amount claimed or due less than twenty dollars, anything in this act to the contrary notwithstanding: *And provided, further,* That any certificate of drawback for goods exported, issued in pursuance of the provisions of this act, may, under such regulations as may be prescribed by the Secretary of the Treasury, be received by the collector or his deputy in payment of duties under this act. And the Secretary of the Treasury may make such regulations with regard to the form of said certificates and the issuing thereof as, in his judgment, may be necessary: *And provided, further,* That in computing the allowance or drawback upon articles manufactured exclusively of cotton when exported, there shall be allowed, in addition to the three per centum duty which shall have been paid on such articles, a drawback of five mills per pound upon such articles, in all cases where the duty imposed by this act upon the cotton used in the manufacture thereof has been previously paid; the amount of said allowance to be ascertained in such manner as may be prescribed by the Commissioner of Internal Revenue, under the direction of the Secretary of the Treasury.

Limit.

Certificate of drawback may be received in payment of duties.

Further allowance.

Fraudulent attempt to obtain drawback. SEC. 117. *And be it further enacted,* That if any person or persons shall fraudulently claim or seek to obtain an allowance or drawback on goods, wares, or merchandise, on which no internal duty shall have been paid, or shall fraudulently claim any greater allowance or drawback than the duty actually paid, as aforesaid, such person or persons shall forfeit triple the amount wrongfully or fraudulently claimed or sought to be obtained, or the sum of five hundred dollars, at the election of the Secretary of the Treasury, to be recovered as in other cases of forfeiture provided for in the general provisions of this act.

SEC. 118. *And be it further enacted,* That the sum of sixty thousand

dollars, appropriated to complete the capitol in New Mexico, by the second section of an act of Congress approved June twenty-five, eighteen hundred and sixty, and the sum of fifty thousand dollars, appropriated for military roads in New Mexico, by act of Congress approved March two, eighteen hundred and sixty-one, be, and the same are hereby, credited to the Territory of New Mexico in payment of the direct annual tax of sixty-two thousand six hundred and forty-eight dollars levied upon said Territory under the eighth section of an act of Congress approved August five, eighteen hundred and sixty-one, to be taken up on account of said direct tax under said [act] as the same may fall due to the United States from said Territory.

Certain sums credited to New Mexico on account of direct tax.

1860, ch. 211.
Ante, p. 110.
 1861, ch. 78.
Ante, p. 208.

1861, ch. 45, § 8.
Ante, p. 296.

SEC. 119. *And be it further enacted*, That so much of an act entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one, as imposes a direct tax of twenty millions of dollars on the United States, shall be held to authorize the levy and collection of one tax to that amount; and no other tax shall be levied under and by virtue thereof, until the first day of April, eighteen hundred and sixty-five, when the same shall be in full force and effect.

Only one direct tax to be laid under act 1861, ch. 45, until April 1, 1865.

Ante, p. 294.

APPROVED, July 1, 1862.

CHAP. CXX.—*An Act to aid in the Construction of a Railroad and Telegraph Line from the Missouri River to the Pacific Ocean, and to secure to the Government the Use of the same for Postal, Military, and Other Purposes.*

July 1, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Walter S. Burgess, William P. Blodget, Benjamin H. Cheever, Charles Fosdick Fletcher, of Rhode Island; Augustus Brewster, Henry P. Haven, Cornelius S. Bushnell, Henry Hammond, of Connecticut; Isaac Sherman, Dean Richmond, Royal Phelps, William H. Ferry, Henry A. Paddock, Lewis J. Stancliff, Charles A. Secor, Samuel R. Campbell, Alfred E. Tilton, John Anderson, Azariah Boody, John S. Kennedy, H. Carver, Joseph Field, Benjamin F. Camp, Orville W. Childs, Alexander J. Bergen, Ben. Holliday, D. N. Barney, S. De Witt Bloodgood, William H. Grant, Thomas W. Olcott, Samuel B. Ruggles, James B. Wilson, of New York; Ephraim Marsh, Charles M. Harker, of New Jersey; John Edgar Thompson, Benjamin Haywood, Joseph H. Scranton, Joseph Harrison, George W. Cass, John H. Bryant, Daniel J. Morell, Thomas M. Howe, William F. Johnson, Robert Finney, John A. Green, E. R. Myre, Charles F. Wells, junior, of Pennsylvania; Noah L. Wilson, Amasa Stone, William H. Clement, S. S. L'Hommedieu, John Brough, William Dennison, Jacob Blickinsderfer, of Ohio; William M. McPherson, R. W. Wells, Willard P. Hall, Armstrong Beatty, John Corby, of Missouri; S. J. Hensley, Peter Donahue, C. P. Huntington, T. D. Judah, James Bailey, James T. Ryan, Charles Hosmer, Charles Marsh, D. O. Mills, Samuel Bell, Louis McLane, George W. Mowe, Charles McLaughlin, Timothy Dame, John R. Robinson, of California; John Atchison and John D. Winters, of the Territory of Nevada; John D. Campbell, R. N. Rice, Charles A. Trowbridge, and Ransom Gardner, Charles W. Penny, Charles T. Gorham, William McConnell, of Michigan; William F. Coolbaugh, Lucius H. Langworthy, Hugh T. Reid, Hoyt Sherman, Lyman Cook, Samuel R. Curtis, Lewis A. Thomas, Platt Smith, of Iowa; William B. Ogden, Charles G. Hammond, Henry Farnum, Amos C. Babcock, W. Seldon Gale, Nehemiah Bushnell and Lorenzo Bull, of Illinois; William H. Swift, Samuel T. Dana, John Bertram, Franklin S. Stevens, Edward R. Tinker, of Massachusetts; Franklin Gorin, Laban J. Bradford, and John T. Levis, of Kentucky; James Dunning, John M. Wood, Edwin Noyes, Joseph Eaton, of Maine; Henry H. Baxter, George W. Collamer, Henry Keyes, Thomas H. Canfield, of Vermont; William S. Ladd, A. M. Berry,

Pacific Railroad.

Corporators.

Benjamin F. Harding, of Oregon; William Bunn, junior, John Catlin, Levi Sterling, John Thompson, Elihu L. Phillips, Walter D. McIndoe, T. B. Stoddard, E. H. Brodhead, A. H. Virgin, of Wisconsin; Charles Paine, Thomas A. Morris, David C. Branham, Samuel Hanna, Jonas Votaw, Jesse L. Williams, Isaac C. Elston, of Indiana; Thomas Swan, Chauncey Brooks, Edward Wilkins, of Maryland; Francis R. E. Cornell, David Blakely, A. D. Seward, Henry A. Swift, Dwight Woodbury, John McKusick, John R. Jones, of Minnesota; Joseph A. Gilmore, Charles W. Woodman, of New Hampshire; W. H. Grimes, J. C. Stone, Chester Thomas, John Kerr, Werter R. Davis, Luther C. Challiss, Josiah Miller, of Kansas; Gilbert C. Monell and Augustus Kountz, T. M. Marquette, William H. Taylor, Alvin Saunders, of Nebraska; John Evans, of Colorado; together with five commissioners to be appointed by the Secretary of the Interior, and all persons who shall or may be associated with them, and their successors, are hereby created and erected into a body corporate and politic in deed and in law, by the name, style, and title of "The Union Pacific Railroad Company;" and by that name shall have perpetual succession, and shall be able to sue and to be sued, plead and be impleaded, defend and be defended, in all courts of law and equity within the United States, and may make and have a common seal; and the said corporation is hereby authorized and empowered to lay out, locate, construct, furnish, maintain, and enjoy a continuous railroad and telegraph, with the appurtenances, from a point on the one hundredth meridian of longitude west from Greenwich, between the south margin of the valley of the Republican River and the north margin of the valley of the Platte River, in the Territory of Nebraska, to the western boundary of Nevada Territory, upon the route and terms hereinafter provided, and is hereby vested with all the powers, privileges, and immunities necessary to carry into effect the purposes of this act as herein set forth. The capital stock of said company shall consist of one hundred thousand shares of one thousand dollars each, which shall be subscribed for and held in not more than two hundred shares by any one person, and shall be transferable in such manner as the by-laws of said corporation shall provide.

Name of corporation. The persons hereinbefore named, together with those to be appointed by the Secretary of the Interior, are hereby constituted and appointed commissioners, and such body shall be called the Board of Commissioners of the Union Pacific Railroad and Telegraph Company, and twenty-five shall constitute a quorum for the transaction of business. The first meeting of said board shall be held at Chicago at such time as the commissioners from Illinois herein named shall appoint, not more than three nor less than one month after the passage of this act, notice of which shall be given by them to the other commissioners, by depositing a call thereof in the post office at Chicago, post paid, to their address at least forty days before said meeting, and also by publishing said notice in one daily newspaper in each of the cities of Chicago and Saint Louis. Said board shall organize by the choice from its number of a president, secretary, and treasurer, and they shall require from said treasurer such bonds as may be deemed proper, and may from time to time increase the amount thereof as they may deem proper. It shall be the duty of said board of commissioners to open books, or cause books to be opened, at such times and in such principal cities in the United States as they or a quorum of them shall determine, to receive subscriptions to the capital stock of said corporation, and a cash payment of ten per centum on all subscriptions, and to receipt therefor. So soon as two thousand shares shall be in good faith subscribed for, and ten dollars per share actually paid into the treasury of the company, the said president and secretary of said board of commissioners shall appoint a time and place for the first meeting of the subscribers to the stock of said company, and shall give notice thereof in at least one newspaper in each State in which subscription books have been

Common seal.

Power of corporation.

Termini of railroad and telegraph.

Capital stock.
Shares.

Board of commissioners.

Quorum.

First meeting.
1862, ch. 154.
Post, p. 538.

Organization.
Officers of the board.

Subscription books.

First meeting of subscribers to stock.

opened at least thirty days previous to the day of meeting, and such subscribers as shall attend the meeting so called, either in person or by proxy, shall then and there elect by ballot not less than thirteen directors for said corporation; and in such election each share of said capital shall entitle the owner thereof to one vote. The president and secretary of the board of commissioners shall act as inspectors of said election, and shall certify under their hands the names of the directors elected at said meeting; and the said commissioners, treasurer, and secretary shall then deliver over to said directors all the properties, subscription books and other books in their possession, and thereupon the duties of said commissioners and the officers previously appointed by them shall cease and determine forever, and thereafter the stockholders shall constitute said body politic and corporate. At the time of the first and each triennial election of directors by the stockholders two additional directors shall be appointed by the President of the United States, who shall act with the body of directors, and to be denominated directors on the part of the government; any vacancy happening in the government directors at any time may be filled by the President of the United States. The directors to be appointed by the President shall not be stockholders in the Union Pacific Railroad Company. The directors so chosen shall, as soon as may be after their election, elect from their own number a president and vice-president, and shall also elect a treasurer and secretary. No person shall be a director in said company unless he shall be a bona fide owner of at least five shares of stock in the said company, except the two directors to be appointed by the President as aforesaid. Said company, at any regular meeting of the stockholders called for that purpose, shall have power to make by-laws, rules, and regulations as they shall deem needful and proper, touching the disposition of the stock, property, estate, and effects of the company, not inconsistent herewith, the transfer of shares, the term of office, duties, and conduct of their officers and servants, and all matters whatsoever which may appertain to the concerns of said company; and the said board of directors shall have power to appoint such engineers, agents, and subordinates as may from time to time be necessary to carry into effect the object of this act, and to do all acts and things touching the location and construction of said road and telegraph. Said directors may require payment of subscriptions to the capital stock, after due notice, at such times and in such proportions as they shall deem necessary to complete the railroad and telegraph within the time in this act prescribed. Said president, vice-president, and directors shall hold their office for three years, and until their successors are duly elected and qualified, or for such less time as the by-laws of the corporation may prescribe; and a majority of said directors shall constitute a quorum for the transaction of business. The secretary and treasurer shall give such bonds, with such security, as the said board shall from time to time require, and shall hold their offices at the will and pleasure of the directors. Annual meetings of the stockholders of the said corporation, for the choice of officers (when they are to be chosen) and for the transaction of annual business, shall be holden at such time and place and upon such notice as may be prescribed in the by-laws.

Directors.

Votes.

Stockholders to constitute the body corporate. Directors on the part of the government.

President, vice-president, treasurer, and secretary.

Who may be directors.

By-laws.

Directors may appoint engineers, agents, &c.

Term of office of president, directors, &c.

Quorum of directors. Bonds of secretary and treasurer.

Term of office. Annual meetings.

Right of way for road and telegraph.

Materials for construction.

SEC. 2. *And be it further enacted,* That the right of way through the public lands be, and the same is hereby, granted to said company for the construction of said railroad and telegraph line; and the right, power, and authority is hereby given to said company to take from the public lands adjacent to the line of said road, earth, stone, timber, and other materials for the construction thereof; said right of way is granted to said railroad to the extent of two hundred feet in width on each side of said railroad where it may pass over the public lands, including all necessary grounds for stations, buildings, workshops, and depots, machine shops, switches, side tracks, turntables, and water stations. The United States

Indian titles to be extinguished.

shall extinguish as rapidly as may be, the Indian titles to all lands falling under the operation of this act and required for the said right of way and grants hereinafter made.

Alternate sections on each side of railroad, &c., granted to company.

SEC. 3. *And be it further enacted,* That there be, and is hereby, granted to the said company, for the purpose of aiding in the construction of said railroad and telegraph line, and to secure the safe and speedy transportation of the mails, troops, munitions of war, and public stores thereon, every alternate section of public land, designated by odd numbers, to the amount of five alternate sections per mile on each side of said railroad, on the line thereof, and within the limits of ten miles on each side of said road, not sold, reserved, or otherwise disposed of by the United States, and to which a preëmption or homestead claim may not have attached, at the time the line of said road is definitely fixed:

Mineral lands excepted.

Provided, That all mineral lands shall be excepted from the operation of this act; but where the same shall contain timber, the timber thereon is hereby granted to said company. And all such lands, so granted by this section, which shall not be sold or disposed of by said company within three years after the entire road shall have been completed, shall be subject to settlement and preëmption, like other lands, at a price not exceeding one dollar and twenty-five cents per acre, to be paid to said company.

Timber.

Lands when to be subject to settlement and pre-emption.

Patents for said lands when and how to issue.

SEC. 4. *And be it further enacted,* That whenever said company shall have completed forty consecutive miles of any portion of said railroad and telegraph line, ready for the service contemplated by this act, and supplied with all necessary drains, culverts, viaducts, crossings, sidings, bridges, turnouts, watering places, depots, equipments, furniture, and all other appurtenances of a first class railroad, the rails and all the other iron used in the construction and equipment of said road to be American manufacture of the best quality, the President of the United States

Commissioners.

shall appoint three commissioners to examine the same and report to him in relation thereto; and if it shall appear to him that forty consecutive miles of said railroad and telegraph line have been completed and equipped in all respects as required by this act, then, upon certificate of said commissioners to that effect, patents shall issue conveying the right and title to said lands to said company, on each side of the road as far as the same is completed, to the amount aforesaid; and patents shall in like manner issue as each forty miles of said railroad and telegraph line are completed, upon certificate of said commissioners. Any vacancies occurring in said board of commissioners by death, resignation, or otherwise, shall be filled by the President of the United States: *Provided, however,* That no such commissioners shall be appointed by the President of the United States unless there shall be presented to him a statement, verified on oath by the president of said company, that such forty miles have been completed, in the manner required by this act, and setting forth with certainty the points where such forty miles begin and where the same end; which oath shall be taken before a judge of a court of record.

Company to render statement on oath.

United States bonds when and how to issue to said company.

SEC. 5. *And be it further enacted,* That for the purposes herein mentioned the Secretary of the Treasury shall, upon the certificate in writing of said commissioners of the completion and equipment of forty consecutive miles of said railroad and telegraph, in accordance with the provisions of this act, issue to said company bonds of the United States of one thousand dollars each, payable in thirty years after date, bearing six per centum per annum interest, (said interest payable semi-annually,) which interest may be paid in United States treasury notes or any other money or currency which the United States have or shall declare lawful money and a legal tender, to the amount of sixteen of said bonds per mile for such section of forty miles; and to secure the repayment to the United States, as hereinafter provided, of the amount of said bonds so issued and delivered to said company, together with all interest thereon which shall have been paid by the United States, the issue of said bonds and delivery

Interest.

to the company shall ipso facto constitute a first mortgage on the whole line of the railroad and telegraph, together with the rolling stock, fixtures and property of every kind and description, and in consideration of which said bonds may be issued; and on the refusal or failure of said company to redeem said bonds, or any part of them, when required so to do by the Secretary of the Treasury, in accordance with the provisions of this act, the said road, with all the rights, functions, immunities, and appurtenances thereunto belonging, and also all lands granted to the said company by the United States, which, at the time of said default, shall remain in the ownership of the said company, may be taken possession of by the Secretary of the Treasury, for the use and benefit of the United States: *Provided*, This section shall not apply to that part of any road now constructed.

Issue and delivery of bonds to constitute first mortgage of road, stock, &c.

Proceedings upon failure to redeem bonds.

SEC. 6. *And be it further enacted*, That the grants aforesaid are made upon condition that said company shall pay said bonds at maturity, and shall keep said railroad and telegraph line in repair and use, and shall at all times transmit despatches over said telegraph line, and transport mails, troops, and munitions of war, supplies, and public stores upon said railroad for the government, whenever required to do so by any department thereof, and that the government shall at all times have the preference in the use of the same for all the purposes aforesaid, (at fair and reasonable rates of compensation, not to exceed the amounts paid by private parties for the same kind of service;) and all compensation for services rendered for the government shall be applied to the payment of said bonds and interest until the whole amount is fully paid. Said company may also pay the United States, wholly or in part, in the same or other bonds, treasury notes, or other evidences of debt against the United States, to be allowed at par; and after said road is completed, until said bonds and interest are paid, at least five per centum of the net earnings of said road shall also be annually applied to the payment thereof.

Grants conditioned to pay bonds at maturity, to keep road and telegraph in repair,

to transmit despatches and transport mails, troops, &c.

Government to have preference.

Pay therefor how to be applied.

SEC. 7. *And be it further enacted*, That said company shall file their assent to this act, under the seal of said company, in the Department of the Interior, within one year after the passage of this act, and shall complete said railroad and telegraph from the point of beginning as herein provided, to the western boundary of Nevada Territory before the first day of July, one thousand eight hundred and seventy-four: *Provided*, That within two years after the passage of this act said company shall designate the general route of said road, as near as may be, and shall file a map of the same in the Department of the Interior, whereupon the Secretary of the Interior shall cause the lands within fifteen miles of said designated route or routes to be withdrawn from preëmption, private entry, and sale; and when any portion of said route shall be finally located, the Secretary of the Interior shall cause the said lands hereinbefore granted to be surveyed and set off as fast as may be necessary for the purposes herein named: *Provided*, That in fixing the point of connection of the main trunk with the eastern connections, it shall be fixed at the most practicable point for the construction of the Iowa and Missouri branches, as hereinafter provided.

Company to file assent, &c.,

to complete railroad, &c.

General route to be designated in two years.

Map to be filed.

Point of junction of main trunk with eastern connections.

SEC. 8. *And be it further enacted*, That the line of said railroad and telegraph shall commence at a point on the one hundredth meridian of longitude west from Greenwich, between the south margin of the valley of the Republican River and the north margin of the valley of the Platte River, in the Territory of Nebraska, at a point to be fixed by the President of the United States, after actual surveys; thence running westerly upon the most direct, central, and practicable route, through the territories of the United States, to the western boundary of the Territory of Nevada, there to meet and connect with the line of the Central Pacific Railroad Company of California.

Line of railroad and telegraph, where to commence.

Direction.

SEC. 9. *And be it further enacted*, That the Leavenworth, Pawnee,

Leavenworth, Pawnee, &c. R. Co. may construct railroad and telegraph from Missouri River to Pacific railroad.

Location.

To be subject to approval of President.

Central Pacific Railroad Company may construct railroad and telegraph line.

Companies to file acceptance of this act.

Said railroads, how and when to be completed.

May be united after completion.

Hannibal and St. Joseph R. R. and Pacific R. E. Co. of Missouri, &c., may unite with the Kansas company.

and Western Railroad Company of Kansas are hereby authorized to construct a railroad and telegraph line, from the Missouri River, at the mouth of the Kansas River, on the south side thereof, so as to connect with the Pacific railroad of Missouri, to the aforesaid point, on the one hundredth meridian of longitude west from Greenwich, as herein provided, upon the same terms and conditions in all respects as are provided in this act for the construction of the railroad and telegraph line first mentioned, and to meet and connect with the same at the meridian of longitude aforesaid; and in case the general route or line of road from the Missouri River to the Rocky Mountains should be so located as to require a departure northwardly from the proposed line of said Kansas railroad before it reaches the meridian of longitude aforesaid, the location of said Kansas road shall be made so as to conform thereto; and said railroad through Kansas shall be so located between the mouth of the Kansas River, as aforesaid, and the aforesaid point, on the one hundredth meridian of longitude, that the several railroads from Missouri and Iowa, herein authorized to connect with the same, can make connection within the limits prescribed in this act, provided the same can be done without deviating from the general direction of the whole line to the Pacific coast. The route in Kansas, west of the meridian of Fort Riley, to the aforesaid point, on the one hundredth meridian of longitude, to be subject to the approval of the President of the United States, and to be determined by him on actual survey. And said Kansas company may proceed to build said railroad to the aforesaid point, on the one hundredth meridian of longitude west from Greenwich, in the territory of Nebraska. The Central Pacific Railroad Company of California, a corporation existing under the laws of the State of California, are hereby authorized to construct a railroad and telegraph line from the Pacific coast, at or near San Francisco, or the navigable waters of the Sacramento River, to the eastern boundary of California, upon the same terms and conditions, in all respects, as are contained in this act for the construction of said railroad and telegraph line first mentioned, and to meet and connect with the first mentioned railroad and telegraph line on the eastern boundary of California. Each of said companies shall file their acceptance of the conditions of this act in the Department of the Interior within six months after the passage of this act.

SEC. 10. *And be it further enacted*, That the said company chartered by the State of Kansas shall complete one hundred miles of their said road, commencing at the mouth of the Kansas River as aforesaid, within two years after filing their assent to the conditions of this act, as herein provided, and one hundred miles per year thereafter until the whole is completed; and the said Central Pacific Railroad Company of California shall complete fifty miles of their said road within two years after filing their assent to the provisions of this act, as herein provided, and fifty miles per year thereafter until the whole is completed; and after completing their roads, respectively, said companies, or either of them, may unite upon equal terms with the first-named company in constructing so much of said railroad and telegraph line and branch railroads and telegraph lines in this act hereinafter mentioned, through the Territories from the State of California to the Missouri River, as shall then remain to be constructed, on the same terms and conditions as provided in this act in relation to the said Union Pacific Railroad Company. And the Hannibal and St. Joseph Railroad, the Pacific Railroad Company of Missouri, and the first-named company, or either of them, on filing their assent to this act, as aforesaid, may unite upon equal terms, under this act, with the said Kansas company, in constructing said railroad and telegraph, to said meridian of longitude, with the consent of the said State of Kansas; and in case said first-named company shall complete their line to the eastern boundary of California before it is completed across

said State by the Central Pacific Railroad Company of California, said first-named company is hereby authorized to continue in constructing the same through California, with the consent of said State, upon the terms mentioned in this act, until said roads shall meet and connect, and the whole line of said railroad and telegraph is completed; and the Central Pacific Railroad Company of California, after completing its road across said State, is authorized to continue the construction of said railroad and telegraph through the Territories of the United States to the Missouri River, including the branch roads specified in this act, upon the routes hereinbefore and hereinafter indicated, on the terms and conditions provided in this act in relation to the said Union Pacific Railroad Company, until said roads shall meet and connect, and the whole line of said railroad and branches and telegraph is completed.

Central Pacific
may continue
construction, &c.

SEC. 11. *And be it further enacted*, That for three hundred miles of said road most mountainous and difficult of construction, to wit: one hundred and fifty miles westwardly from the eastern base of the Rocky Mountains, and one hundred and fifty miles eastwardly from the western base of the Sierra Nevada mountains, said points to be fixed by the President of the United States, the bonds to be issued to aid in the construction thereof shall be treble the number per mile hereinbefore provided, and the same shall be issued, and the lands herein granted be set apart, upon the construction of every twenty miles thereof, upon the certificate of the commissioners as aforesaid that twenty consecutive miles of the same are completed; and between the sections last named of one hundred and fifty miles each, the bonds to be issued to aid in the construction thereof shall be double the number per mile first mentioned, and the same shall be issued, and the lands herein granted be set apart, upon the construction of every twenty miles thereof, upon the certificate of the commissioners as aforesaid that twenty consecutive miles of the same are completed: *Provided*, That no more than fifty thousand of said bonds shall be issued under this act to aid in constructing the main line of said railroad and telegraph.

Aid for the most
mountainous and
difficult parts of
roads to be treble,
&c.

SEC. 12. *And be it further enacted*, That whenever the route of said railroad shall cross the boundary of any State or Territory, or said meridian of longitude, the two companies meeting or uniting there shall agree upon its location at that point, with reference to the most direct and practicable through route, and in case of difference between them as to said location the President of the United States shall determine the said location; the companies named in each State and Territory to locate the road across the same between the points so agreed upon, except as herein provided. The track upon the entire line of railroad and branches shall be of uniform width, to be determined by the President of the United States, so that, when completed, cars can be run from the Missouri River to the Pacific coast; the grades and curves shall not exceed the maximum grades and curves of the Baltimore and Ohio railroad; the whole line of said railroad and branches and telegraph shall be operated and used for all purposes of communication, travel, and transportation, so far as the public and government are concerned, as one connected, continuous line; and the companies herein named in Missouri, Kansas, and California, filing their assent to the provisions of this act, shall receive and transport all iron rails, chairs, spikes, ties, timber, and all materials required for constructing and furnishing said first-mentioned line between the aforesaid point, on the one hundredth meridian of longitude and western boundary of Nevada Territory, whenever the same is required by said first-named company, at cost, over that portion of the roads of said companies constructed under the provisions of this act.

Location, where
route crosses
boundary of any
State, &c.

Track to be of
uniform width.
1863, ch. 112.
Post, p. 807.
Grades and
curves.

Road and
branches, &c., to
be one line.

SEC. 13. *And be it further enacted*, That the Hannibal and Saint Joseph Railroad Company of Missouri may extend its roads from Saint Joseph, via Atchison, to connect and unite with the road through Kansas, upon

Hannibal and
St. Joseph Com-
pany may extend
its road, &c.

Hannibal and St. Joseph Railroad.

filing its assent to the provisions of this act, upon the same terms and conditions, in all respects, for one hundred miles in length next to the Missouri River, as are provided in this act for the construction of the railroad and telegraph line first mentioned, and may for this purpose, use any railroad charter which has been or may be granted by the legislature of Kansas; *Provided*, That if actual survey shall render it desirable, the said company may construct their road, with the consent of the Kansas legislature, on the most direct and practicable route west from St. Joseph, Missouri, so as to connect and unite with the road leading from the western boundary of Iowa at any point east of the one hundredth meridian of west longitude, or with the main trunk road at said point; but in no event shall lands or bonds be given to said company, as herein directed, to aid in the construction of their said road for a greater distance than one hundred miles. And the Leavenworth, Pawnee, and Western Railroad Company of Kansas may construct their road from Leavenworth to unite with the road through Kansas.

Union Pacific Railroad to construct single line from western boundary of Iowa.

SEC. 14. *And be it further enacted*, That the said Union Pacific Railroad Company is hereby authorized and required to construct a single line of railroad and telegraph from a point on the western boundary of the State of Iowa, to be fixed by the President of the United States, upon the most direct and practicable route, to be subject to his approval, so as to form a connection with the lines of said company at some point on the one hundredth meridian of longitude aforesaid, from the point of commencement on the western boundary of the State of Iowa, upon the same terms and conditions, in all respects, as are contained in this act for the construction of the said railroad and telegraph first mentioned; and the said Union Pacific Railroad Company shall complete one hundred miles of the road and telegraph in this section provided for, in two years after filing their assent to the conditions of this act, as by the terms of this act required, and at the rate of one hundred miles per year thereafter, until the whole is completed: *Provided*, That a failure upon the part of said company to make said connection in the time aforesaid, and to perform the obligations imposed on said company by this section and to operate said road in the same manner as the main line shall be operated, shall forfeit to the government of the United States all the rights, privileges, and franchises granted to and conferred upon said company by this act. And whenever there shall be a line of railroad completed through Minnesota or Iowa to Sioux City, then the said Pacific Railroad Company is hereby authorized and required to construct a railroad and telegraph from said Sioux City upon the most direct and practicable route to a point on, and so as to connect with, the branch railroad and telegraph in this section hereinbefore mentioned, or with the said Union Pacific Railroad, said point of junction to be fixed by the President of the United States, not further west than the one hundredth meridian of longitude aforesaid, and on the same terms and conditions as provided in this act for the construction of the Union Pacific Railroad as aforesaid, and to complete the same at the rate of one hundred miles per year; and should said company fail to comply with the requirements of this act in relation to the said Sioux City railroad and telegraph, the said company shall suffer the same forfeitures prescribed in relation to the Iowa branch railroad and telegraph hereinbefore mentioned.

When to be completed.

Other railroads may connect.

SEC. 15. *And be it further enacted*, That any other railroad company now incorporated, or hereafter to be incorporated, shall have the right to connect their road with the road and branches provided for by this act, at such places and upon such just and equitable terms as the President of the United States may prescribe. Wherever the word company is used in this act it shall be construed to embrace the words their associates, successors, and assigns, the same as if the words had been properly added thereto.

Meaning of word "company" in this act.

SEC. 16. *And be it further enacted,* That at any time after the passage of this act all of the railroad companies named herein, and assenting hereto, or any two or more of them, are authorized to form themselves into one consolidated company; notice of such consolidation, in writing, shall be filed in the Department of the Interior, and such consolidated company shall thereafter proceed to construct said railroad and branches and telegraph line upon the terms and conditions provided in this act.

Companies named herein, and assenting, may be consolidated.
Notice.

SEC. 17. *And be it further enacted,* That in case said company or companies shall fail to comply with the terms and conditions of this act, by not completing said road and telegraph and branches within a reasonable time, or by not keeping the same in repair and use, but shall permit the same, for an unreasonable time, to remain unfinished, or out of repair, and unfit for use, Congress may pass any act to insure the speedy completion of said road and branches, or put the same in repair and use, and may direct the income of said railroad and telegraph line to be thereafter devoted to the use of the United States, to repay all such expenditures caused by the default and neglect of such company or companies:

If companies fail to comply with the terms of this act, Congress may, &c.

Provided, That if said roads are not completed, so as to form a continuous line of railroad, ready for use, from the Missouri River to the navigable waters of the Sacramento River, in California, by the first day of July, eighteen hundred and seventy-six, the whole of all of said railroads before mentioned and to be constructed under the provisions of this act, together with all their furniture, fixtures, rolling stock, machine shops, lands, tenements, and hereditaments, and property of every kind and character, shall be forfeited to and be taken possession of by the United States: *Provided,* That of the bonds of the United States in this act provided to be delivered for any and all parts of the roads to be constructed east of the one hundredth meridian of west longitude from Greenwich, and for any part of the road west of the west foot of the Sierra Nevada mountain, there shall be reserved of each part and instalment twenty-five per centum, to be and remain in the United States treasury, undelivered, until said road and all parts thereof provided for in this act are entirely completed; and of all the bonds provided to be delivered for the said road, between the two points aforesaid, there shall be reserved out of each instalment fifteen per centum, to be and remain in the treasury until the whole of the road provided for in this act is fully completed; and if the said road or any part thereof shall fail of completion at the time limited therefor in this act, then and in that case the said part of said bonds so reserved shall be forfeited to the United States.

Roads when to be forfeited to the United States.

Twenty-five per cent. of bonds granted by this act to be reserved.

SEC. 18. *And be it further enacted,* That whenever it appears that the net earnings of the entire road and telegraph, including the amount allowed for services rendered for the United States, after deducting all expenditures, including repairs, and the furnishing, running, and managing of said road, shall exceed ten per centum upon its cost, exclusive of the five per centum to be paid to the United States, Congress may reduce the rates of fare thereon, if unreasonable in amount, and may fix and establish the same by law. And the better to accomplish the object of this act, namely, to promote the public interest and welfare by the construction of said railroad and telegraph line, and keeping the same in working order, and to secure to the government at all times (but particularly in time of war) the use and benefits of the same for postal, military and other purposes, Congress may, at any time, having due regard for the rights of said companies named herein, add to, alter, amend, or repeal this act.

When net earnings of road, &c. exceed ten per cent., Congress may reduce the rates, &c.

Act may be altered, &c.

SEC. 19. *And be it further enacted,* That the several railroad companies herein named are authorized to enter into an arrangement with the Pacific Telegraph Company, the Overland Telegraph Company, and the California State Telegraph Company, so that the present line of telegraph between the Missouri River and San Francisco may be moved upon or

Arrangements with telegraph companies.

along the line of said railroad and branches as fast as said roads and branches are built; and if said arrangement be entered into, and the transfer of said telegraph line be made in accordance therewith to the line of said railroad and branches, such transfer shall, for all purposes of this act, be held and considered a fulfilment on the part of said railroad companies of the provisions of this act in regard to the construction of said line of telegraph. And, in case of disagreement, said telegraph companies are authorized to remove their line of telegraph along and upon the line of railroad herein contemplated without prejudice to the rights of said railroad companies named herein.

Annual report of corporation.

SEC. 20. *And be it further enacted,* That the corporation hereby created and the roads connected therewith, under the provisions of this act, shall make to the Secretary of the Treasury an annual report wherein shall be set forth —

Contents of report.

First. The names of the stockholders and their places of residence, so far as the same can be ascertained;

Second. The names and residences of the directors, and all other officers of the company;

Third. The amount of stock subscribed, and the amount thereof actually paid in;

Fourth. A description of the lines of road surveyed, of the lines thereof fixed upon for the construction of the road, and the cost of such surveys;

Fifth. The amount received from passengers on the road;

Sixth. The amount received for freight thereon;

Seventh. A statement of the expense of said road and its fixtures;

Eighth. A statement of the indebtedness of said company, setting forth the various kinds thereof. Which report shall be sworn to by the president of the said company, and shall be presented to the Secretary of the Treasury on or before the first day of July in each year.

APPROVED, July 1, 1862.

July 1, 1862.

CHAP. CXXI. — *An Act changing the Name of the American-built Schooner "Curtis Mann" to that of "Supply."*

Name of Schooner "Curtis Mann," changed to "Supply."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collector of the customs of the port of Detroit be, and he is hereby, authorized, under the direction of the Secretary of the Treasury, to issue a new register, license, or enrolment, to the American-built schooner "Curtis Mann," in the name of the "Supply," the same being owned by H. N. Strong.

APPROVED, July 1, 1862.

July 1, 1862.

CHAP. CXXII. — *An Act changing the Name of the American-built Schooner "Tom Dyer" to that of "Dolphin."*

Name of the "Tom Dyer" changed to "Dolphin."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collector of the customs of the port of Detroit be, and he is hereby, authorized, under the direction of the Secretary of the Treasury, to issue a new register, license, or enrolment, to the American-built schooner "Tom Dyer," in the name of the "Dolphin," the same being owned by H. N. Strong.

APPROVED, July 1, 1862.

July 1, 1862.

CHAP. CXXIII. — *An Act to provide for the Appointment of an Indian Agent in Colorado Territory.*

Agent for the Grand River and Wintah Indians in Colorado authorized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and is hereby, authorized to appoint, by and with the advice and consent of the

Senate, or during the recess thereof and until the end of its next session after such appointment, an agent for the Grand River and Wintah bands of Indians, in the Territory of Colorado, at a salary of fifteen hundred dollars per annum. Salary.

APPROVED, July 1, 1862.

CHAP. CXXIV. — *An Act for the Relief of William B. Dodd and others.* July 1, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay out of the appropriation to complete the road from Mendota to the Big Sioux River, contained in the act approved March third, eighteen hundred and fifty-five, entitled "An act making appropriations for the support of the army for the year ending the thirtieth of June, eighteen hundred and fifty-six, and for other purposes," into the hands of Horace Austin, of Saint Peter, Minnesota, who is hereby appointed a commissioner to dispose of the same, the sum of three thousand two hundred and seventy dollars, the same having been estimated for in said appropriation, and being for completing a part of said road, to be paid out by him as follows, to wit: The said commissioner shall give notice to all persons having claims against William B. Dodd for labor or materials furnished in the construction of said road, by publication in a newspaper of general circulation in the neighborhood where said road is situated, for ninety days, and by posting written or printed notices in three public places in each county through which said road passes, to present and prove their claims within the ninety days aforesaid; and all such claims, so presented and proved within the time limited, he shall pay to the parties respectively, and the residue, after the liquidation of such claims, and the payment of the expenses of this commission, he shall pay to the said William B. Dodd.

APPROVED, July 1, 1862.

CHAP. CXXV. — *An Act to incorporate the Guardian Society and reform Juvenile Offenders in the District of Columbia.* July 1, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Amos Kendall, John M. Broadhead, Zenas C. Robbins, Sayles J. Bowen, Nehemiah B. Northrup, Benjamin B. French, Joseph Bryan, Peter N. Higinbotham, Thomas C. Jenner, David W. Heath, James R. Barr, Matthew Waite, Samuel A. H. McKim, John R. Nourse, and Stephen Prentiss, and their associates and successors, being members of said society, by paying into its treasury the sum of two dollars annually, or life members, by paying fifty dollars at one time, or ten dollars annually, for six years, are hereby incorporated and made a body politic by the name of the "Guardian Society" for the purpose of encouraging and aiding impartially such of the poor, the ignorant, and the vicious, as can be induced to make such efforts as they ought for the improvement of their condition, and by that name shall have perpetual succession, with the power to use a common seal, to sue and be sued, to plead and be impleaded, in any court of the United States, to collect subscriptions, make by-laws and rules needful for the government of said corporation not repugnant to the laws of the United States; may have, hold, and receive real and personal estate, by purchase, gift, or devise; may use, sell, or convey the same for the purposes and benefit of said corporation; may choose such officers and teachers as they may deem necessary, prescribe their duties, and fix their compensation.

SEC. 2. *And be it further enacted,* That they may, at their discretion, receive into a house of industry provided by said society any minors, under the age of eighteen years, who shall be convicted of any crime,

Payment to creditors of William B. Dodd, &c.
1855, ch. 169. Vol. x. p. 638.
Horace Austin appointed commissioner, &c.
to make payment.
Guardian Society incorporated.
Membership.
Name and objects of the society.
By-laws.
May hold real, &c., estate, &c.
Officers.
House of industry, inmates, &c.

offence, or misdemeanor, other than such as are capital or punishable by imprisonment for life; and such person[s] shall be committed by the court, or magistrate before whom the conviction shall be had, to said house of industry, with an alternate sentence to the jail or penitentiary of the District of Columbia if the trustees decline to receive or keep them, and to the commitments shall be annexed the names and residences of the witnesses examined and the substance of the evidence given.

Alternate sentence.

Same subject.

SEC. 3. *And be it further enacted*, That the court may, with the consent of accused persons, or their parents or guardians in writing, arrest proceedings at any time, and commit them to the house of industry.

Same subject.

SEC. 4. *And be it further enacted*, That the trustees may receive any children at the request of the parents or guardians, or next friend, or the mother, if the father be dead, or has abandoned his family, or does not provide for their support, or is an habitual drunkard; such parents, guardians, or next friend, or mother, making a written surrender of such children.

Trustees may reject certain offenders.

SEC. 5. *And be it further enacted*, That the trustees shall not be required to receive any offenders known to be extremely vicious, nor to keep any who may prove incorrigible, or whose continuance may be deemed injurious; and those whom any two of the trustees or the superintendent, if duly authorized by the board, shall refuse to receive or keep, shall be disposed of according to their alternate sentences.

Witnesses and certain persons held for trial to go to house of industry.

SEC. 6. *And be it further enacted*, That persons committed as witnesses, and those under the age of eighteen years committed for trial, shall be placed in the house of industry instead of the jail or penitentiary, unless they are so vicious that placing them in it should be deemed injurious.

Term of commitment.

SEC. 7. *And be it further enacted*, That no commitment shall be for a shorter term than until the offender is reformed or twenty-one years of age, except such as may be committed for trial or as witnesses; but any of them who may be deemed to be thoroughly reformed may be discharged during good behavior, on the order of the board of trustees, duly entered upon their record.

Power of superintendent.

SEC. 8. *And be it further enacted*, That the superintendent may, with the concurrence of the board of trustees, govern the inmates, preserve order, enforce discipline, impart instruction in the veneration and love of God, in morality, useful knowledge, and some regular course of labor, and establish rules for the preservation of health and their proper physical, intellectual, and moral training, until they are reformed and discharged, or twenty-one years of age, or remanded as incorrigible. The trustees may bind out, with their consent, by indenture, any who may appear to be sufficiently reformed, where they will have the benefit of good example, wholesome instruction, and other means of improvement in virtue and knowledge, and the opportunity of becoming intelligent, moral, and useful members of society. They may appoint a committee of one or more of their own number to execute and deliver indentures, which shall be filed and kept in the office of the house of industry. The superintendent may let out inmates to hire during the daytime to employers whose work is not too distant from the house of industry for him to have the general inspection of their conduct and the treatment they receive.

Trustees may bind out inmates.

Superintendent may let out inmates to hire.

Untrustworthy and unreformed apprentices.

Fugitives.

SEC. 9. *And be it further enacted*, That if any apprentices, prove untrustworthy and unreformed, the trustees may, at their discretion, permit their return, and order the indentures cancelled. Fugitives from the house of industry, or from apprenticeship, may be arrested and returned to the house of industry by a sheriff, constable, police officer, or an officer of the house of industry, on the written order of any two of the trustees or the superintendent.

Private examinations, when permitted.

SEC. 10. *And be it further enacted*, That persons under the age of eighteen years shall be entitled to a private examination and trial, if they

request it in writing, at which only the parties shall be admitted, their parents, guardians, or other legal representatives.

SEC. 11. *And be it further enacted,* That the expenses of maintenance of the inmates committed for offences against the people, or for trial, or as witnesses, shall be paid by the county, and those of persons committed by parents, guardians, or next friends, shall be paid by the persons committing them, unless the trustees shall otherwise determine. The rates of expenses shall be fixed by the board of trustees.

Expenses of maintenance of inmates, how paid.

Rates.

SEC. 12. *And be it further enacted,* That the grounds, and the buildings thereon, for the use of said society, shall be exempt from taxation.

Grounds, &c., exempt from taxation.

APPROVED, July 1, 1862.

CHAP. CXXVI.—*An Act to punish and prevent the Practice of Polygamy in the Territories of the United States and other Places, and disapproving and annulling certain Acts of the Legislative Assembly of the Territory of Utah.*

July 1, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person having a husband or wife living, who shall marry any other person, whether married or single, in a Territory of the United States, or other place over which the United States have exclusive jurisdiction, shall, except in the cases specified in the proviso to this section, be adjudged guilty of bigamy, and, upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars, and by imprisonment for a term not exceeding five years: *Provided, nevertheless,* That this section shall not extend to any person by reason of any former marriage whose husband or wife by such marriage shall have been absent for five successive years without being known to such person within that time to be living; nor to any person by reason of any former marriage which shall have been dissolved by the decree of a competent court; nor to any person by reason of any former marriage which shall have been annulled or pronounced void by the sentence or decree of a competent court on the ground of the nullity of the marriage contract.

Bigamy in the territories of the United States, how punished.

Act not to apply to certain cases.

SEC. 2. *And be it further enacted,* That the following ordinance of the provisional government of the State of Deseret, so called, namely: "An ordinance incorporating the Church of Jesus Christ of Latter Day Saints," passed February eight, in the year eighteen hundred and fifty-one, and adopted, reënacted, and made valid by the governor and legislative assembly of the Territory of Utah by an act passed January nineteen, in the year eighteen hundred and fifty-five, entitled "An act in relation to the compilation and revision of the laws and resolutions in force in Utah Territory, their publication, and distribution," and all other acts and parts of acts heretofore passed by the said legislative assembly of the Territory of Utah, which establish, support, maintain, shield, or countenance polygamy, be, and the same hereby are, disapproved and annulled: *Provided,* That this act shall be so limited and construed as not to affect or interfere with the right of property legally acquired under the ordinance heretofore mentioned, nor with the right "to worship God according to the dictates of conscience," but only to annul all acts and laws which establish, maintain, protect, or countenance the practice of polygamy, evasively called spiritual marriage, however disguised by legal or ecclesiastical solemnities, sacraments, ceremonies, consecrations, or other contrivances.

Certain acts of the territory of Utah, &c., annulled and disapproved.

Rights of property acquired under these acts, &c., not to be interfered with, &c.

SEC. 3. *And be it further enacted,* That it shall not be lawful for any corporation or association for religious or charitable purposes to acquire or hold real estate in any Territory of the United States during the existence of the territorial government of a greater value than fifty thousand dollars; and all real estate acquired or held by any such corporation or association contrary to the provisions of this act shall be

Religious, &c., corporations in territories not to hold more than \$50,000 of real estate.

Vested rights not impaired hereby. forfeited and escheat to the United States: *Provided*, That existing vested rights in real estate shall not be impaired by the provisions of this section.

APPROVED, July 1, 1862.

July 2, 1862. CHAP. CXXVII. — *An Act to provide for additional Medical Officers of the Volunteer Service.*

Additional surgeons and assistant surgeons. Rank, pay, &c. Previous examination. Vacancies, how filled. Act, how long to continue. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be appointed by the President, by and with the advice and consent of the Senate, forty surgeons and one hundred and twenty assistant surgeons of volunteers, who shall have the rank, pay and emoluments of officers of corresponding grades in the regular army; *Provided*, That no one shall be appointed to any position under this act unless he shall previously have been examined by a board of medical officers to be appointed by the Secretary of War, and that vacancies in the grade of surgeon shall be filled by selection from the grade of assistant surgeon on the ground of merit only: *And provided, further*, That this act shall continue in force only during the existence of the present rebellion.

Brigade surgeons, how known, &c. To be surgeons of volunteers. *SEC. 2. And be it further enacted*, That from and after the passage of this act, Brigade Surgeons shall be known and designated as Surgeons of Volunteers, and shall be attached to the general medical staff under the direction of the Surgeon General; and hereafter such appointments for the medical service of the army shall be appointed Surgeons of Volunteers.

Regiments of volunteers to have two assistant surgeons. 1861, ch. 9, § 2. *Ante*, p. 269. *SEC. 3. And be it further enacted*, That instead of "one assistant surgeon," as provided by the second section of the act of July 22nd, 1861, each regiment of Volunteers in the service of the United States shall have two Assistant Surgeons. APPROVED, July 2, 1862.

July 2, 1862. CHAP. CXXVIII. — *An Act to prescribe an Oath of Office, and for other Purposes.*

Oath of office for all persons in civil, military or naval department of the public service. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That hereafter every person elected or appointed to any office of honor or profit under the government of the United States, either in the civil, military or naval departments of the public service, excepting the President of the United States, shall, before entering upon the duties of such office, and before being entitled to any of the salary or other emoluments thereof, take and subscribe the following oath or affirmation: "I, A. B., do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto. And I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter, so help me God;" which said oath, so taken and signed, shall be preserved among the files of the court, House of Congress, or Department to which the said office may appertain. And any person who shall falsely take the said oath shall be guilty of perjury, and on conviction, in addition to the penalties now

Post, p. 701.

Oath to be preserved.

False swearing in taking the oath to be perjury.

prescribed for that offence, shall be deprived of his office and rendered incapable forever after of holding any office or place under the United States. Penalty.

APPROVED, July 2, 1862.

CHAP. CXXIX. — *An Act to establish a Land District in the Territory of Nevada, and for other Purposes.* July 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the public lands of the United States in the Territory of Nevada shall constitute a land district, to be called the District of Nevada, the office for which shall be established at such place within said district as the President of the United States may from time to time direct, and the preëmption laws are hereby extended to said Territory. Land district of Nevada established.

SEC. 2. *And be it further enacted,* That the President be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a register and receiver for said district, who shall be required to reside at the site of said office, and who shall have the same powers and perform the same duties as are now or may hereafter be prescribed by law for other land officers, and whose compensation shall be the same as allowed to such officers by the act approved April twenty, eighteen hundred and eighteen, entitled "An act for changing the compensation of receivers and registers of the land offices." Register and receiver to be appointed.

1818, ch 123.
Vol. iii. p. 466.

SEC. 3. *And be it further enacted,* That when the settlers in any township or townships, not mineral or reserved by government, shall desire a survey made of the same under the authority of the Surveyor-General of the United States, and shall file an application therefor in writing, and deposit in a proper United States depository to the credit of the United States a sum sufficient to pay for such survey, together with all expenses incident thereto, without cost or claim for indemnity on the United States, it shall and may be lawful for said Surveyor-General, under such instructions as may be given him by the Commissioner of the General Land Office, and in accordance with existing laws and instructions, to survey such township or townships, and make return thereof to the general and proper local land office: *Provided,* That the townships so proposed to be surveyed are within the range of the regular progress of the public surveys embraced by existing standard lines or bases for the township and sub-divisional surveys. Settlers in townships not mineral or reserved may have surveys made, &c.

Proviso.

APPROVED, July 2, 1862.

CHAP. CXXX. — *An Act donating Public Lands to the several States and Territories which may provide Colleges for the Benefit of Agriculture and the Mechanic Arts.* July 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be granted to the several States, for the purposes hereinafter mentioned, an amount of public land, to be apportioned to each State a quantity equal to thirty thousand acres for each senator and representative in Congress to which the States are respectively entitled by the apportionment under the census of eighteen hundred and sixty: *Provided,* That no mineral lands shall be selected or purchased under the provisions of this act. Public lands, not mineral, to be given to each State.

SEC. 2. *And be it further enacted,* That the land aforesaid, after being surveyed, shall be apportioned to the several States in sections or subdivisions of sections, not less than one quarter of a section; and whenever there are public lands in a State subject to sale at private entry at one dollar and twenty-five cents per acre, the quantity to which said State shall be entitled shall be selected from such lands within the limits of such State, and the Secretary of the Interior is hereby directed to issue to each How apportioned.
To be selected from those subject to sale at private entry, &c. if any.

Where there are no such lands, scrip to be issued.

Scrip may be sold.

Proviso.

Expenses of management, &c. to be paid by States.

Moneys from sales of such lands to be invested;

to constitute a perpetual fund;

interest to be applied to support one college for agriculture and the mechanic arts.

Conditions of this grant.

Assent of States.

Diminution of fund to be made up by State.

Annual interest to be applied regularly.

No portion to be applied to buildings.

Any State claiming the benefits of this act, to provide college within five years.

of the States in which there is not the quantity of public lands subject to sale at private entry at one dollar and twenty-five cents per acre, to which said State may be entitled under the provisions of this act, land scrip to the amount in acres for the deficiency of its distributive share: said scrip to be sold by said States and the proceeds thereof applied to the uses and purposes prescribed in this act, and for no other use or purpose whatsoever: *Provided*, That in no case shall any State to which land scrip may thus be issued be allowed to locate the same within the limits of any other State, or of any Territory of the United States, but their assignees may thus locate said land scrip upon any of the unappropriated lands of the United States subject to sale at private entry at one dollar and twenty-five cents, or less, per acre: *And provided, further*, That not more than one million acres shall be located by such assignees in any one of the States: *And provided, further*, That no such location shall be made before one year from the passage of this act.

SEC. 3. *And be it further enacted*, That all the expenses of management, superintendence, and taxes from date of selection of said lands, previous to their sales, and all expenses incurred in the management and disbursement of the moneys which may be received therefrom, shall be paid by the States to which they may belong, out of the treasury of said States, so that the entire proceeds of the sale of said lands shall be applied without any diminution whatever to the purposes hereinafter mentioned.

SEC. 4. *And be it further enacted*, That all moneys derived from the sale of the lands aforesaid by the States to which the lands are apportioned, and from the sales of land scrip hereinbefore provided for, shall be invested in stocks of the United States, or of the States, or some other safe stocks, yielding not less than five per centum upon the par value of said stocks; and that the moneys so invested shall constitute a perpetual fund, the capital of which shall remain forever undiminished, (except so far as may be provided in section fifth of this act,) and the interest of which shall be inviolably appropriated, by each State which may take and claim the benefit of this act, to the endowment, support, and maintenance of at least one college where the leading object shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agriculture and the mechanic arts, in such manner as the legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions in life.

SEC. 5. *And be it further enacted*, That the grant of land and land scrip hereby authorized shall be made on the following conditions, to which, as well as to the provisions hereinbefore contained, the previous assent of the several States shall be signified by legislative acts:

First. If any portion of the fund invested, as provided by the foregoing section, or any portion of the interest thereon, shall, by any action or contingency, be diminished or lost, it shall be replaced by the State to which it belongs, so that the capital of the fund shall remain forever undiminished; and the annual interest shall be regularly applied without diminution to the purposes mentioned in the fourth section of this act, except that a sum, not exceeding ten per centum upon the amount received by any State under the provisions of this act, may be expended for the purchase of lands for sites or experimental farms, whenever authorized by the respective legislatures of said States.

Second. No portion of said fund, nor the interest thereon, shall be applied, directly or indirectly, under any pretence whatever, to the purchase, erection, preservation, or repair of any building or buildings.

Third. Any State which may take and claim the benefit of the provisions of this act shall provide, within five years, at least not less than one college, as described in the fourth section of this act, or the grant to such

State shall cease ; and said State shall be bound to pay the United States the amount received of any lands previously sold, and that the title to purchasers under the State shall be valid.

Fourth. An annual report shall be made regarding the progress of each college, recording any improvements and experiments made, with their cost and results, and such other matters, including State industrial and economical statistics, as may be supposed useful ; one copy of which shall be transmitted by mail free, by each, to all the other colleges which may be endowed under the provisions of this act, and also one copy to the Secretary of the Interior.

Annual report of college.

Fifth. When lands shall be selected from those which have been raised to double the minimum price, in consequence of railroad grants, they shall be computed to the States at the maximum price, and the number of acres proportionally diminished.

If lands are selected from those at double minimum price, computation how made.

Sixth. No State while in a condition of rebellion or insurrection against the government of the United States shall be entitled to the benefit of this act.

States in rebellion not to have benefit of this act.

Seventh. No State shall be entitled to the benefits of this act unless it shall express its acceptance thereof by its legislature within two years from the date of its approval by the President.

Assent of State to be given within two years.

SEC. 6. *And be it further enacted*, That land scrip issued under the provisions of this act shall not be subject to location until after the first day of January, one thousand eight hundred and sixty-three.

Land scrip not to be located until after January 1, 1863.

SEC. 7. *And be it further enacted*, That the land officers shall receive the same fees for locating land scrip issued under the provisions of this act as is now allowed for the location of military bounty land warrants under existing laws ; *Provided*, their maximum compensation shall not be thereby increased.

Fees of land officers.

SEC. 8. *And be it further enacted*, That the Governors of the several States to which scrip shall be issued under this act shall be required to report annually to Congress all sales made of such scrip until the whole shall be disposed of, the amount received for the same, and what appropriation has been made of the proceeds.

Governors of States to report annually to Congress.

APPROVED, July 2, 1862.

CHAP. CXXXIII. — *An Act making Appropriations for the Support of the Army for the Year ending the thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth of June, eighteen hundred and sixty-two, and for other Purposes.*

July 5, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-three :

Army appropriation.

For the recruiting service of the army, namely : For the enlistment of recruits, for quarters, fuel, stationery, straw, postage, bunks, compensation to citizen surgeons for medical attendance, transportation from rendezvous to depots, and all other expenses until put in march to join regiments, one hundred and eighty thousand dollars.

Recruiting service.

For purchase of books of tactics and instructions for volunteers, fifty thousand dollars.

Books of tactics, &c.

For pay of the army, eight million nine hundred and five thousand three hundred and eighteen dollars.

Pay of army.

For commutation of officers' subsistence, one million five hundred and seventy-four thousand one hundred and eighty-six dollars and fifty cents.

Commutation of subsistence, &c.

For commutation of forage for officers' horses, two hundred and eighty-three thousand four hundred and fourteen dollars.

For payments to discharged soldiers for clothing not drawn, one hundred and fifty thousand dollars.

Payments for and in lieu of clothing.

For payments in lieu of clothing for officers' servants, seventy-one thousand six hundred and thirty dollars.

Pay of Volunteers.

1861, ch. 9, 17.
Ante, pp. 268, 274.

Limit to number of major-generals and brigadiers.

For pay of volunteers under acts of twenty-second and twenty-fifth of July, eighteen hundred and sixty-one, two hundred and twenty-six million two hundred and eighty-three thousand two hundred and eighty-two dollars: *Provided*, That the President shall not be authorized to appoint more than forty major-generals, nor more than two hundred brigadier-generals. And all acts and parts of acts authorizing a greater number of major and brigadier-generals than are above provided for, are hereby repealed.

Subsistence.

For subsistence in kind for regulars and volunteers, seventy-eight million three hundred and eighty-six thousand six hundred and forty dollars and eighty cents.

Quartermaster's department.

For the regular supplies of the quartermaster's department, consisting of fuel for the officers, enlisted men, guard, hospitals, storehouses, and offices; of forage in kind for the horses, mules, and oxen, of the quartermaster's department at the several posts and stations, and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry as may be mounted, and for the authorized number of officers' horses when serving in the field and at the outposts, including bedding for the animals; of straw for soldiers' bedding, and of stationery, including blank books for the quartermaster's department, certificates for discharged soldiers, blank forms for the pay and quartermaster's departments; and for the printing of division and department orders and reports, thirty-six million nine hundred and twelve thousand dollars.

Incidental expenses of quartermaster's department.

For the incidental expenses of the quartermaster's department, consisting of postage on letters and packets received and sent by officers of the army on public service; expenses of courts-martial and courts of inquiry, including the additional compensation of judge advocates, recorders, members, and witnesses, while on that service, under the act of March sixteenth, eighteen hundred and two; extra pay to soldiers employed, under the direction of the quartermaster's department, in the erection of barracks, quarters, storehouses, and hospitals; in the construction of roads and on other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department head-quarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field, or at posts on the frontiers, or at other posts and places when ordered by the Secretary of War, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the quartermaster's department, including the hire of interpreters, spies, and guides for the army; compensation of clerks of the officers of the quartermaster's department; compensation of forage and wagon masters, authorized by the act of July fifth, eighteen hundred and thirty-eight, for the apprehension of deserters, and the expenses incident to their pursuit; and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry as may be mounted, viz: the purchase of travelling forges, blacksmiths' and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, picket ropes, and for shoeing the horses of the corps named; also, generally, the proper and authorized expenses for the movements and operations of an army not expressly assigned to any other department, twenty million eight hundred and thirty-six thousand seven hundred and fifty dollars.

1802, ch. 9, §§
21, 22.
Vol. ii. p. 136.

1819, ch. 45.
Vol. iii. p. 488.
1854, ch. 247, § 6.
Vol. x. p. 576.

1838, ch. 162,
§ 10.
Vol. v. p. 257.

Cavalry and artillery horses.

For the purchase of cavalry and artillery horses, five million four hundred thousand dollars.

For mileage, or the allowance made to officers of the army for the transportation of themselves and their baggage, when travelling on duty without troops, escorts, or supplies, one million two hundred and ninety-one thousand six hundred dollars. Mileage and transportation of officers.

For transportation of the army, including the baggage of the troops when moving, either by land or water; of clothing, camp and garrison equipage, from the depots at Philadelphia and New York to the several posts and army depots, and from those depots to the troops in the field; and subsistence from the places of purchase and from the places of delivery under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small arms, from founderies and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls, and ferriages; for the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships, and other sea-going vessels, and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; and for procuring water at such posts as, from their situation, require that it be brought from a distance; and for clearing roads, and removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operations of the troops in the field, forty million dollars. Transportation of the army.

For hire or commutation of quarters for officers on military duty; hire of quarters for troops; of storehouses for the safe-keeping of military stores, of grounds for summer cantonments, for the construction of temporary huts, hospitals, and stables, and for repairing public buildings at established posts, four million two hundred and thirty-four thousand dollars. Water.

Clearing roads, harbors, &c.

Hire and commutation of quarters, &c.

For heating and cooking stoves, ninety thousand dollars. Heating, &c., stoves.

For maintenance of gunboat fleet proper, two millions one hundred and sixty thousand dollars. Gunboat fleet.

For maintenance of steam rams, one hundred and eighty thousand dollars. Steam rams.

For contingencies of the army, five hundred thousand dollars. Contingencies.

For clothing for the army, camp and garrison equipage, and for expenses of offices and arsenals, thirty-nine million three hundred and twenty-two thousand five hundred and thirteen dollars and twenty-five cents. Clothing, camp equipage, &c.

For constructing and extending the telegraph for military purposes, and for expenses in operating the same, five hundred thousand dollars. Telegraph for military purposes.

For the medical and hospital department, including pay of private physicians, purchase and repair of surgical instruments, purchase of extra hospital bedding, clothing, ice, pay of male citizens as hospital attendants; the maintenance of sick and wounded soldiers, placed in private houses or hospitals; and other necessary comforts for the sick and convalescing in the various military hospitals, five million seven hundred and five thousand nine hundred and eighty-four dollars. Medical and hospital department.

For contingent expenses of the adjutant-general's department at department headquarters, two thousand dollars. Contingent expenses of adjutant general's department.

For supplies, transportation, and care of prisoners of war, three million three hundred and seventy-three thousand seven hundred and twenty-eight dollars. Supplies, &c., of prisoners of war.

For armament of fortifications, one million sixty-two thousand five hundred dollars. Armament of fortifications.

For the current expenses of the ordnance service, seven hundred and thirty-two thousand six hundred dollars. Ordnance service.

For ordnance, ordnance stores, and supplies, including horse equip- Ordnance, ordnance stores, &c.

ments for all mounted troops, seven million three hundred and eighty thousand dollars.

Manufacture of arms. For the manufacture of arms at the national armory, one million eight hundred thousand dollars.

Repairs, &c., of machinery at armory. For repairs and improvements and new machinery at the national armory at Springfield, Massachusetts, one hundred and fifty thousand dollars.

Gunpowder and lead. For the purchase of gunpowder and lead, one million one hundred thousand dollars.

Extension, &c., of arsenals. For additions to and extension of shop-room, machinery, tools, and fixtures at arsenals, five hundred thousand dollars.

Purchase and manufacture of arms, &c. For the purchase and manufacture of arms for volunteers and regulars, and ordnance and ordnance stores, thirteen million dollars.

Military surveys. For surveys of military defences, one hundred and fifty thousand dollars.

Purchase, &c., of instruments. For purchase and repair of instruments, ten thousand dollars.

Lake surveys. For printing charts of lake surveys, ten thousand dollars.

For continuing the survey of the Northern and Northwestern lakes, including Lake Superior, one hundred and five thousand dollars.

Fort Clinch. For completion of Fort Clinch, Amelia Island, Florida, one hundred and fifty thousand dollars.

Secret service fund, &c. For secret service fund, and to reimburse the contingent fund of the army, five hundred thousand dollars.

Bounty to volunteers, &c. For payment of bounty to volunteers, and to the widows and legal heirs of such as may die or be killed in the service of the United States, authorized by the fifth and sixth sections of an act entitled "An act to

authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, twenty millions of dollars, or so much thereof as may be found necessary.

Collecting, &c., volunteers. For collecting, organizing, and drilling volunteers, in addition to any sums heretofore appropriated for that purpose, five millions of dollars.

Discharged soldiers. For providing for the comfort of discharged soldiers who may arrive in the principal cities of the United States so disabled by disease or by wounds received in the service as to be unable to proceed to their homes, and for forwarding destitute soldiers to their homes, two millions of dollars, to be applied and expended under the direction of the President of the United States.

Northwest Executive Building. For enlarging, repairing, and furnishing the Northwest Executive Building, twenty thousand dollars.

Judiciary Square. For grading and improving that part of Judiciary Square, in the city of Washington, upon which the general hospital of the United States is located, four thousand dollars, to be expended under the direction of the Surgeon-General.

Repeal of part of act of 1861, ch. 25, § 7. SEC. 2. *And be it further enacted*, That so much of the seventh section of the act approved third March, eighteen hundred and fifty-one, entitled "An act to found a military asylum for the relief and support of

invalid and disabled soldiers of the army of the United States," as requires that "all moneys, not exceeding two thirds of the balance on hand, of the hospital fund and of the post fund of each military station, after deducting the necessary expenses," shall be set apart for the support of the military asylum, be and the same is hereby repealed.

Designation of enlisted men in Ordnance Department. SEC. 3. *And be it further enacted*, That the enlisted men of the Ordnance Department now designated as master-workmen shall hereafter be designated and mustered as sergeants; those now designated as armorers, carriage-makers, and blacksmiths shall be designated and mustered as corporals; those now designated as artificers shall be designated and mustered as privates of the first class; and those now designated as laborers shall be designated and mustered as privates of the second

class: *Provided*, That the pay, rations, and clothing now authorized by law to the respective grades of enlisted ordnance men shall not be changed. Pay, &c., not to be changed.

SEC. 4. *And be it further enacted*, That in all cases where recruiting officers have in good faith paid the two dollars for bringing accepted recruits to the rendezvous, before receiving notice of the repeal of the regulation allowing the same, the accounts of such officers shall be allowed in settlement by the Treasury Department. Payment to recruiting officers for recruits.

SEC. 5. *And be it further enacted*, That there shall be added to the clerical force of the Surgeon-General's office one clerk of class one and one clerk of class two; and there shall be added to the clerical force of the Paymaster-General's office twenty clerks of class two and twenty clerks of class one; and there shall be added to the clerical and other force of the Adjutant-General's office four clerks of class two, six clerks of class one, and ten other clerks, at a monthly compensation of sixty dollars each; and the Adjutant-General may detail ten more non-commissioned officers of the army as clerks in his office; and the sum of fifty-one thousand two hundred dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, to pay the salaries of the clerks hereby authorized. Additional clerks in office of Surgeon-General; of Paymaster-General; of Adjutant-General; non-commissioned officers. Appropriation.

SEC. 6. *And be it further enacted*, That section five of the act "to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, and section five of the act "to increase the present military establishment of the United States," approved July twenty-nine, eighteen hundred and sixty-one, shall be so construed as to allow twenty-five dollars of the bounty of one hundred dollars therein provided to be paid immediately after enlistment to every soldier of the regular and volunteer forces hereafter enlisted during the continuance of the existing war, and the sum of seven millions five hundred thousand dollars is hereby appropriated for such payment. \$25 of the bounty of \$100, to be paid to volunteer after enlistment. 1861, ch. 9, § 5. 1861, ch. 24, § 5. *Ante*, pp. 269, 280. Appropriation.

SEC. 7. *And be it further enacted*, That all the aides-de-camp appointed by authority of the act approved fifth August, eighteen hundred and sixty-one, entitled "An act supplementary to an act entitled an act to increase the present military establishment of the United States," approved July twenty-nine, eighteen hundred and sixty-one, shall be nominated to the Senate for its advice and consent. Certain aides-de-camp to be nominated to Senate for consent, &c. 1861, ch. 24. 1861, ch. 47. *Ante*, p. 314.

SEC. 8. *And be it further enacted*, That the President of the United States be, and he hereby is authorized, by and with the consent of the Senate, to appoint as many military storekeepers in the Quartermaster's Department of the army as the exigencies of the service may require; provided the whole number of military storekeepers in that department shall not exceed twelve. Military storekeepers in Quartermaster's Department. Limit to number.

SEC. 9. *And be it further enacted*, That the following sums be, and the same are hereby, in like manner, appropriated out of any money in the treasury not otherwise appropriated, for the service of the year ending the thirtieth of June, eighteen hundred and sixty-two: Appropriation for year ending June 30, 1862.

For the construction and maintenance of the gunboat fleet proper, four hundred thousand dollars. Gunboats.

For purchasing, construction, and maintenance of steam rams, four hundred thousand dollars. Steam rams.

For pay of private physicians, purchase and repair of surgical instruments, purchase of extra hospital bedding, clothing, ice, and other necessary comforts for the sick and convalescing in the various military hospitals, one hundred and twenty-five thousand dollars. Private physicians, surgical instruments, &c.

For compensation of chaplains of hospitals, from the date of the commencement of their service to the thirtieth of June, eighteen hundred and sixty-two, twelve thousand dollars. Chaplains of hospitals.

For the contingent expenses of the Paymaster-General's office for the Office of Paymaster-General.

year ending thirtieth of June, eighteen hundred and sixty-two, one thousand dollars.

Ration of coffee and sugar may be commuted, if, &c.

SEC. 10. *And be it further enacted*, That the Secretary of War be authorized to commute the army ration of coffee and sugar, for the extract of coffee, combined with milk and sugar, to be procured in the same manner and under like restrictions and guarantees as preserved meats, pickles, butter, and desiccated vegetables are procured for the navy, if he shall believe it will be conducive to the health and comfort of the army, and not more expensive to the Government than the present ration, and if it shall be acceptable to the men.

Painting of E. Leutze in the Capitol to be completed and paid for.

SEC. 11. *And be it further enacted*, That the restriction or limitation contained in the proviso to the joint resolution, approved April sixteenth, eighteen hundred and sixty-two, transferring the superintendency of the Capitol extension from the War Department to the Department of the Interior, shall not be so construed or applied as to prevent the completion of, and the payment for, the painting now in progress on the wall over the stairway on the western side of the south wing agreeably to the terms of the contract made between General M. C. Meigs, on behalf of the Government, and E. Leutze, the artist, on the ninth day of July, eighteen hundred and sixty-one.

APPROVED, July 5, 1862.

July 5, 1862.

CHAP. CXXXIV. — *An Act to reorganize the Navy Department of the United States.*

Bureaus in Navy Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established in the Navy Department the following bureaus, to wit :

Yards and Docks.
Equipment and Recruiting.
Navigation.
Ordnance.
Construction and Repair.
Steam Engineering.
Provisions and Clothing.
Medicine and Surgery.

- First. A Bureau of Yards and Docks.
Second. A Bureau of Equipment and Recruiting.
Third. A Bureau of Navigation.
Fourth. A Bureau of Ordnance.
Fifth. A Bureau of Construction and Repair.
Sixth. A Bureau of Steam Engineering.
Seventh. A Bureau of Provisions and Clothing.
Eighth. A Bureau of Medicine and Surgery.

Chiefs of Bureaus to be taken from what grade of officers.

SEC. 2. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, shall appoint from the list of officers of the navy, not below the grade of commander, a chief for each of the Bureaus of Yards and Docks, Navigation, Equipment and Recruiting, and of Ordnance, and shall in like manner appoint a chief of the Bureau of Construction and Repair, who shall be a skilful naval constructor; and shall also appoint a chief of the Bureau of Steam Engineering, who shall be a skilful engineer, and be selected from the list of chief engineers of the navy; and shall also appoint a chief of the Bureau of Medicine and Surgery, who shall be selected from the list of the surgeons of the navy, and a chief of the Bureau of Provisions and Clothing, who shall be selected from the list of paymasters of the navy of not less than ten years' standing; each of which chiefs of bureaus shall receive a salary of three thousand five hundred dollars per annum, unless otherwise heretofore provided for by law, which shall be in lieu of all other compensation whatever. The said chiefs of bureaus to hold their said offices for the term of four years: *Provided*, That nothing herein contained shall be construed to affect any provision heretofore made by law for special cases.

Clerks in the Navy Department, and their salaries.

SEC. 3. *And be it further enacted*, That the Secretary of the Navy shall appoint the follow[ing] clerks and other officers, to wit :

For the office of Secretary of Navy.

For the office of the Secretary of the Navy, a chief clerk, who shall receive a salary of two thousand two hundred dollars per annum; one clerk at a salary of eighteen hundred dollars, who shall also be disbursing

clerk with a salary of two hundred dollars; five clerks with a salary of sixteen hundred dollars each; three clerks with a salary of fourteen hundred dollars each; four clerks with a salary of twelve hundred dollars each; one messenger at nine hundred dollars per annum; one assistant messenger at seven hundred dollars, and two laborers at six hundred dollars each per annum.

For the Bureau of Yards and Docks, one civil engineer, who shall receive a salary of two thousand dollars; one chief clerk at eighteen hundred dollars; one clerk at sixteen hundred dollars; three clerks at fourteen hundred dollars each; one draughtsman at fourteen hundred dollars; one clerk at twelve hundred dollars; one messenger at eight hundred and forty dollars; and two laborers at six hundred dollars each per annum.

Bureau of Yards and Docks,

For the Bureau of Equipment and Recruiting, one chief clerk, who shall receive a salary of eighteen hundred dollars; two clerks at a salary of fourteen hundred dollars each; one clerk at a salary of twelve hundred dollars; one messenger at a salary of eight hundred and forty dollars.

of Equipment and Recruiting,

For the Bureau of Navigation, one chief clerk at eighteen hundred dollars; one clerk who shall receive a salary of fourteen hundred dollars; one clerk at twelve hundred dollars; one messenger at eight hundred and forty dollars.

of Navigation,

For the Bureau of Ordnance, one assistant, to be selected from the commissioned officers of the navy, with the pay of three thousand dollars per annum; one draughtsman at fourteen hundred dollars; one clerk at fourteen hundred dollars; one messenger at eight hundred and forty dollars per annum; and one laborer at six hundred dollars; and one laborer at four hundred and eighty dollars per annum.

of Ordnance,

For the Bureau of Construction and Repair, one chief clerk at a salary of eighteen hundred dollars a year; one draughtsman at fourteen hundred dollars per annum; five clerks at a salary of fourteen hundred dollars each; one at twelve hundred dollars; one messenger at a salary of eight hundred and forty dollars per annum; and one laborer at six hundred dollars per annum.

of Construction and Repair,

For the Bureau of Steam Engineering, one chief clerk at a salary of eighteen hundred dollars; one draughtsman at fourteen hundred dollars; one clerk at fourteen hundred dollars; one assistant draughtsman at twelve hundred dollars; one messenger at eight hundred and forty dollars salary per annum; and one laborer at six hundred dollars per annum.

of Steam Engineering,

For the Bureau of Provisions and Clothing, one chief clerk with a salary of eighteen hundred dollars; four clerks with a salary of fourteen hundred dollars each; one clerk with a salary of twelve hundred dollars; one messenger with a salary of eight hundred and forty dollars per annum; and one laborer with a salary of six hundred dollars per annum.

of Provisions and Clothing,

For the Bureau of Medicine and Surgery, two clerks with a salary of fourteen hundred dollars each; and one messenger with a salary of eight hundred and forty dollars per annum.

of Medicine and Surgery.

For the protection of the building occupied by the department, one day watchman and two night watchmen at a salary of six hundred dollars each per annum, and for the general care of the building, furnace, and grounds, one laborer at a salary of six hundred dollars, and one laborer at a salary of three hundred and sixty dollars.

Watchmen and Laborer.

SEC. 4. *And be it further enacted,* That the Secretary of the Navy shall assign and distribute among the said bureaus such of the duties of the Navy Department as he shall judge to be expedient and proper; and all of the duties of the said bureaus shall be performed under the authority of the Secretary of the Navy, and their orders shall be considered as emanating from him, and shall have full force and effect as such.

Secretary to assign and distribute duties to Bureaus.

SEC. 5. *And be it further enacted,* That all estimates for specific,

Estimates for expenses, &c., to be furnished to Secretary by heads of bureaus.

Appropriations, how expended.

Chiefs of bureaus to have franking privilege.

Repeal of inconsistent laws.

general, and contingent expenses of the department, and of the several bureaus, shall be furnished to the Secretary of the Navy by the chiefs of the respective bureaus, and all such appropriations shall be under the control and expended by the direction of the Secretary of the Navy, and the appropriation for each bureau shall be kept separate in the treasury.

SEC. 6. *And be it further enacted*, That the chiefs of the respective bureaus of the Navy Department shall be authorized to frank all communications from their respective bureaus; and all communications to their bureaus on the business thereof shall be free of postage.

SEC. 7. *And be it further enacted*, That all acts and parts of acts conflicting or inconsistent with the provisions of this act, be, and the same are hereby, repealed.

APPROVED, July 5, 1862.

July 5, 1862.

Post, p. 629.

CHAP. CXXXV. — *An Act making Appropriations for the current and contingent Expenses of the Indian Department, and for fulfilling Treaty Stipulations with various Indian Tribes, for the Year ending June thirtieth, eighteen hundred and sixty-three.*

Indian appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with the various Indian tribes —

For the current and contingent expenses of the Indian Department, namely :

Pay of superintendents.

1850, ch. 16.
1851, ch. 14.
1854, ch. 167.
1855, ch. 204.
1856, ch. 128.
1857, ch. 90.
1860, ch. 157.
1860, ch. 213.
Vol. xi. p. 747.

For pay of superintendents of Indian affairs and of the several Indian agents, per acts of fifth June, eighteen hundred and fifty, twenty-seventh February, eighteen hundred and fifty-one, thirty-first July, eighteen hundred and fifty-four, third March, eighteen hundred and fifty-five, eighteenth August, eighteen hundred and fifty-six, third March, eighteen hundred and fifty-seven, nineteenth June, eighteen hundred and sixty, twenty-fifth June, eighteen hundred and sixty, eighth and thirteenth February, eighteen hundred and sixty-one, and per fifteenth article of treaty of nineteenth April, eighteen hundred and fifty-eight, with the Yanctons, ninety-one thousand two hundred and fifty dollars.

Sub-agents.

1854, ch. 167.

For the pay of the several Indian sub-agents, per act of thirty-first July, eighteen hundred and fifty-four, six thousand dollars.

Clerk at St. Louis.

1846, ch. 34.
Vol. ix. p. 21.

For the pay of clerk to superintendent at Saint Louis, Missouri, per act of twenty-seventh June, eighteen hundred and forty-six, one thousand two hundred dollars.

Interpreters.

1834, ch. 162.
1851, ch. 14.
1856, ch. 128.

For the pay of interpreters, per acts of thirtieth June, eighteen hundred and thirty-four, twenty-seventh February, eighteen hundred and fifty-one, and eighteenth August, eighteen hundred and fifty-six, twenty-four thousand nine hundred dollars.

Laborers in California.

For pay of twenty laborers for reservations in California, twelve thousand dollars.

Presents.

For presents to Indians, five thousand dollars.

Provisions.

For provisions for Indians, eleven thousand eight hundred dollars.

Buildings and repairs.

For buildings at agencies and repairs thereof, ten thousand dollars.

Contingencies.

For contingencies of the Indian department, thirty-six thousand five hundred dollars.

Temporary clerks.

For the employment of temporary clerks by superintendents of Indian affairs on such occasions and for such periods of time as the Secretary of the Interior may deem necessary to the public service, five thousand dollars.

Treaty stipulations.

For fulfilling treaty stipulations with the various Indian tribes

Blackfoot Nation.

Blackfoot Nation. — For seventh of ten instalments as annuity, to be

expended in the purchase of such goods, provisions, and other useful articles as the President, at his discretion, may from time to time determine, per ninth article of the treaty of seventeenth October, eighteen hundred and fifty-five, twenty thousand dollars.

Blackfoot
nation.
Vol. xi. p. 759.

For seventh of ten instalments as annuity, to be expended in establishing, and instructing them in agricultural and mechanical pursuits, and in educating their children, and promoting civilization and christianity, at the discretion of the President, per tenth article of the treaty of seventeenth October, eighteen hundred and fifty-five, fifteen thousand dollars.

Chasta, Scoton, and Umpqua Indians. — For eighth of fifteen instalments of annuity, to be expended as directed by the President, per third article treaty eighteenth November, eighteen hundred and fifty-four, two thousand dollars.

Chasta, Scoton,
and Umpqua In-
dians.
Vol. x. p. 1122.

For eighth of fifteen instalments for the pay of a farmer, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand dollars.

For eighth of ten instalments for pay of physician, medicines, and expense of care of the sick, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand five hundred dollars.

For eighth of fifteen instalments for pay of teachers and purchase of books and stationery, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of Lake Superior. — For two-thirds of twenty-first of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight thousand three hundred and thirty-three dollars and thirty-three cents.

Chippewas of
Lake Superior.
Vol. vii. p. 592.
Vol. x. p. 1109.

For two-thirds of twenty-first of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight hundred dollars.

For two-thirds of twenty-first of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, seven thousand dollars.

For two-thirds of twenty-first of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For two-thirds of twenty-first of twenty-five instalments for the pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For two-thirds of twenty-first of twenty-five instalments for the purchas[e] of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For eighth of twenty instalments in corn, goods, household furniture, and cooking utensils, agricultural implements and cattle, carpenters' and other tools and building materials, and for moral and educational purposes, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, nineteen thousand dollars.

For eighth of twenty instalments for six smiths and assistants, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, five thousand and forty dollars.

For eighth of twenty instalments for the support of six smiths' shops,

per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and twenty dollars.

For sixth of twenty instalments for the seventh smith and assistant, and support of shop, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of a smith, assistant, and shop for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of two farmers for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of
the Mississippi.
Vol. vii. p. 592.
Vol. x. p. 1109.

Chippewas of the Mississippi. — For one-third of twenty-first of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four thousand one hundred and sixty-six dollars and sixty-seven cents.

For one-third of twenty-first of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four hundred dollars.

For one-third of twenty-first of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three thousand five hundred dollars.

For one-third of twenty-first of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one-third of twenty-first of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one-third of twenty-first of twenty-five instalments for the support of two smiths' shops, including the pay of two smiths and assistants, and furnishing iron and steel, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one-third of twenty-first of twenty-five instalments for pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three hundred and thirty-three dollars and thirty-three cents.

Vol. x. p. 1165. For eighth of twenty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, twenty thousand dollars.

Chippewas, Pillager, and Lake Winnibagoshish Bands.
Vol. x. p. 1165.

Chippewas, Pillager, and Lake Winnibagoshish Bands. — For eighth of thirty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, ten thousand six hundred and sixty-six dollars and sixty-six cents.

For eighth of thirty instalments of annuity in goods, per third article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

For eighth of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five, four thousand dollars.

For eighth of twenty instalments for purposes of education, per third

article treaty twenty-second February, eighteen hundred and fifty-five, three thousand dollars.

For eighth of fifteen annual instalments for the support of two smiths and smiths' shops, per third article treaty twenty-second February, eighteen hundred and fifty-five, two thousand one hundred and twenty dollars.

For pay of an engineer to grist and saw mill at Leech Lake, six hundred dollars.

Chippewas of Saginaw, Swan Creek, and Black River. — For seventh of ten equal instalments in coin, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of second August, eighteen hundred and fifty-five, ten thousand dollars.

Chippewas of Saginaw, Swan Creek, and Black River.
Vol. xi. p. 634.

For seventh of ten instalments for the support of one blacksmith shop, per second article of the treaty of second August, eighteen hundred and fifty-five, twelve hundred and forty dollars.

Chippewas, Menomonees, Winnebagoes, and New York Indians. — For education during the pleasure of Congress, per fifth article treaty eleventh August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

Chippewas, Menomonees, Winnebagoes, and New York Indians.
Vol. vii. p. 304.
Chickasaws. 1799, ch. 11.
Vol. i. p. 618.

Chickasaws. — For permanent annuity in goods, per act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars.

Choctaws. — For permanent annuity, per second article treaty sixteenth November, eighteen hundred and five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, three thousand dollars.

Choctaws.
Vol. vii. p. 98.
Vol. xi. p. 614.

For permanent annuity for support of light-horsemen, per thirteenth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

Vol. vii. p. 213.

For permanent provision for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six thousand dollars.

Vol. vii. p. 235.

For permanent provision for blacksmith, per sixth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent provision for iron and steel, per ninth article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article of treaty twenty-second June, eighteen hundred and fifty-five, three hundred and twenty dollars.

For interest on five hundred thousand dollars, at five per centum, for education, support of the government, and other beneficial purposes, to be applied under the direction of the general council of the Choctaws, in conformity with the provisions contained in the tenth and thirteenth articles of the treaty of twenty-second June, eighteen hundred and fifty-five, twenty-five thousand dollars.

Comanches, Kiowas, and Apaches of Arkansas River. — For ninth of ten instalments for the purchase of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, eighteen thousand dollars.

Comanches, Kiowas, and Apaches of Arkansas River.
Vol. x. p. 1014.

For expenses of transportation of the ninth of ten instalments of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, seven thousand dollars.

Creeks. — For permanent annuity in money, per fourth article treaty seventh August, seventeen hundred and ninety, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand five hundred dollars.

Creeks.
Vol. vii. p. 36.
Vol. xi. p. 700.

For permanent annuity in money, per second article treaty sixteenth June, eighteen hundred and two, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

Vol. vii. p. 69. For permanent annuity in money, per fourth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, twenty thousand dollars.

Vol. vii. p. 287. For permanent provision for blacksmith and assistant, and for shop and tools, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

For permanent provision for iron and steel for shop, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For permanent provision for the pay of a wheelwright, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

Vol. vii. p. 419. For blacksmith and assistant and shop and tools during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

Vol. xi. p. 700.

For iron and steel for shop during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For wagon-maker during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For assistance in agricultural operations during the pleasure of the President, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For education during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand dollars.

Vol. vii. p. 368. For the sixth of seven additional instalments for two blacksmiths, assistants, shops, and tools, per *thirtieth* [thirteenth] article treaty twenty-fourth March, eighteen hundred and thirty-two, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand six hundred and eighty dollars.

For the sixth of seven additional instalments for iron and steel for shops, per thirteenth article treaty twenty-fourth March, eighteen hundred and thirty-two, and fifth article treaty seventh August, eighteen hundred and fifty-six, five hundred and forty dollars.

Vol. ix. p. 322. For thirty-second of thirty-three instalments for education, per fourth article treaty fourth January, eighteen hundred and forty-five, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For nineteenth of twenty instalments for education, per fourth article treaty fourth January, eighteen hundred and forty-five, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For five per centum interest on two hundred thousand dollars for purposes of education, per sixth article treaty seventh August, eighteen hundred and fifty-six, ten thousand dollars.

Delawares.

Delawares.— For life annuity to chief, per private article to supple-

mental treaty twenty-fourth September, eighteen hundred and twenty-nine, to treaty of third October, eighteen hundred and eighteen, one hundred dollars. Vol. vii. p. 327. Vol. vii. p. 188.

For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land set apart by treaty of eighteen hundred and twenty-nine for education, per resolution of the Senate nineteenth January, eighteen hundred and thirty-eight, and fifth article treaty sixth May, eighteen hundred and fifty-four, two thousand three hundred and four dollars. Vol. vii. p. 327. Vol. x. p. 1049.

Iowas. — For interest in lieu of investment on fifty-seven thousand five hundred dollars, balance of one hundred and fifty-seven thousand five hundred dollars, to the first July, eighteen hundred and sixty-three, at five per centum, for education or other beneficial purposes, under the direction of the President, per second article treaty nineteenth October, eighteen hundred and thirty-eight, and ninth article treaty seventeenth May, eighteen hundred and fifty-four, two thousand eight hundred and seventy-five dollars. Iowas. Vol. vii. p. 568. Vol. x. p. 1071.

Kansas. — For interest in lieu of investment on two hundred thousand dollars, at five per centum, per second article treaty fourteenth January, eighteen hundred and forty-six, ten thousand dollars. Kansas. Vol. ix. p. 842.

Kickapoos. — For ninth instalment of interest, at five per centum, on one hundred thousand dollars for education, per second article treaty eighteenth May, eighteen hundred and fifty-four, five thousand dollars. Kickapoos. Vol. x. p. 1078.

For ninth instalment on two hundred thousand dollars, to be paid in eighteen hundred and sixty-two, per second article treaty eighteenth May, eighteen hundred and fifty-four, nine thousand dollars.

Menomonees. — For seventh of twelve instalments for continuing and keeping up a blacksmith shop, and providing the usual quantity of iron and steel, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, nine hundred and sixteen dollars and sixty-six cents. Menomonees. Vol. ix. p. 952. Vol. x. p. 1065.

For seventh of ten instalments of annuity upon two hundred thousand dollars, balance of three hundred and fifty thousand dollars for cession of lands, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, twenty thousand dollars.

For seventh of fifteen instalments for pay of miller, per third article treaty twelfth May, eighteen hundred and fifty-four, six hundred dollars.

Miamies of Kansas. — For permanent provision for blacksmith and assistant, and iron and steel for shop, per fifth article treaty sixth October, eighteen hundred and eighteen, and fourth article treaty fifth June, eighteen hundred and fifty-four, nine hundred and forty dollars. Miamies of Kansas. Vol. vii. p. 191. Vol. x. p. 1095.

For permanent provision for miller, in lieu of gunsmith, per fifth article treaty sixth October, eighteen hundred and eighteen, fifth article treaty twenty-third October, eighteen hundred and thirty-four, and fourth article treaty fifth June, eighteen hundred and fifty-four, six hundred dollars. Vol. vii. p. 459.

For interest on fifty thousand dollars, at five per centum, for educational purposes, per third article treaty fifth June, eighteen hundred and fifty-four, two thousand five hundred dollars.

For third of twenty instalments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty-four, seven thousand five hundred dollars.

Miamies of Indiana. — For interest on two hundred and twenty-one thousand two hundred and fifty-seven dollars and eighty-six cents, uninvested, at five per centum, for Miami Indians of Indiana, per Senate's amendment to fourth article treaty fifth June, eighteen hundred and fifty-four, eleven thousand and sixty-two dollars and eighty-nine cents. Miamies of Indiana. Vol. vii. p. 582. Vol. x. p. 1095.

Miamies, Eel River.

Vol. vii. p. 51.

Vol. vii. p. 91.

Vol. vii. p. 114.

Nisqually, Puyallup, and other tribes and bands of Indians.

Vol. x. p. 1134.

Omahas.

Vol. x. p. 1044.

Osages.

Ottos and Missouriias.

Vol. x. p. 1039.

Miamies, Eel River. — For permanent annuity in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five, five hundred dollars.

For permanent annuity in goods or otherwise, per third article treaty twenty-first August, eighteen hundred and five, two hundred and fifty dollars.

For permanent annuity in goods or otherwise, per third and separate article to treaty thirtieth September, eighteen hundred and nine, three hundred and fifty dollars.

Nisqually, Puyallup, and other Tribes and Bands of Indians. — For eighth instalment, in part payment for relinquishment of title to lands, to be applied to beneficial objects, per fourth article treaty twenty-sixth December, eighteen hundred and fifty-four, fifteen hundred dollars.

For eighth of twenty instalments for pay of instructor, smith, physician, carpenter, farmer, and assistant if necessary, per tenth article treaty twenty-sixth December, eighteen hundred and fifty-four, six thousand seven hundred dollars.

Omahas. — For the fifth of ten instalments of this amount, being second of the series, in money or otherwise, per fourth article treaty sixteenth March, eighteen hundred and fifty-four, thirty thousand dollars.

For eighth of ten instalments for support of a miller, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For eighth of ten instalments for support of blacksmith and assistant, and iron and steel for shop, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For eighth of ten instalments for support of farmer, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill provided for by the eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smith's shop with tools, and keeping the same in repair, per eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two hundred dollars.

Osages. — For interest on sixty-nine thousand one hundred and twenty dollars, at five per centum, being the value of fifty-four sections of land set apart second June, eighteen hundred and twenty-five, for educational purposes, per Senate resolution nineteenth January, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars.

Ottos and Missouriias. — For fifth of ten instalments, being the second series, in money or otherwise, per fourth article treaty fifteenth March, eighteen hundred and fifty-four, thirteen thousand dollars.

For eighth of ten instalments for pay of miller, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For eighth of ten instalments for blacksmith and assistant, and iron and steel for shop, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For eighth of ten instalments for farmer, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill provided for by the seventh article of the treaty of fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smith's shop with tools, and keeping the same in repair, per seventh article of the treaty fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two hundred dollars.

Ottawas and Chippewas of Michigan. — For seventh of ten equal annual instalments for educational purposes, to be expended under the direction of the President, according to the wishes of the Indians, so far as may be reasonable and just, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, eight thousand dollars. Ottawas and
Chippewas of
Michigan.
Vol. xi. p. 623

For seventh of ten instalments for the support of four blacksmith shops, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, four thousand two hundred and forty dollars.

For seventh of ten instalments of principal, payable annually for ten years, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, ten thousand dollars.

For interest on two hundred and thirty-six thousand dollars, unpaid part of the principal sum of three hundred and six thousand dollars, for one year, at five per centum per annum, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, eleven thousand eight hundred dollars.

For seventh of ten equal annual instalments on thirty-five thousand dollars, in lieu of former treaty stipulations, to be paid per capita to the Grand River Ottawas, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, three thousand five hundred dollars.

Ottawas of Kansas. — For their proportion of the permanent annuities in money, goods, or otherwise, payable under the fourth article of the treaty of third August, seventeen hundred and ninety-five, second article of the treaty of seventeenth November, eighteen hundred and seven, fourth article of the treaty of seventeenth September, eighteen hundred and eighteen, and fourth article of the treaty of twenty-ninth August, eighteen hundred and twenty-one, two thousand six hundred dollars. Ottawas of
Kansas.
Vol. vii. p. 51.
Vol. vii. p. 105.
Vol. vii. p. 179.
Vol. vii. p. 220.

Pawnees. — For last of five instalments in goods and such articles as may be necessary for them, per second article treaty twenty-fourth September, eighteen hundred and fifty-seven, forty thousand dollars. Pawnees.
Vol. xi. p. 729.

For support of two manual labor schools annually, during the pleasure of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, ten thousand dollars.

For pay of two teachers, under the direction of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For purchase of iron and steel, and other necessaries for the shop, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For pay of two blacksmiths, one of whom to be a gunsmith and tinsmith, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation of two strikers or apprentices in shop, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, four hundred and eighty dollars.

For fifth of ten instalments for farming utensils and stock during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For pay of farmer, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For fourth of ten instalments for pay of miller, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For fourth of ten instalments for pay of an engineer, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation to apprentices, to assist in working the mill, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

Pottawatomes. — For permanent annuity in silver, per fourth article Vol. vii. p. 51. treaty third August, seventeen hundred and ninety-five, one thousand dollars.

Vol. vii. p. 114. For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine, five hundred dollars.

Vol. vii. p. 185. For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, two thousand five hundred dollars.

Vol. vii. p. 317. For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight, two thousand dollars.

Vol. vii. p. 320. For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.

Vol. vii. p. 379. For life annuity to chief, per third article treaty twentieth October, eighteen hundred and thirty-two, two hundred dollars.

Vol. vii. p. 432. For life annuity to chiefs, per third article treaty twenty-sixth September, eighteen hundred and thirty-three, seven hundred dollars.

Vol. vii. p. 296. For education during the pleasure of Congress, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty

Vol. vii. p. 317. twentieth September, eighteen hundred and twenty-eight, and fourth article treaty, twenty-seventh October, eighteen hundred and thirty-two,

Vol. vii. p. 401. five thousand dollars.

For permanent provision for the payment of money in lieu of tobacco, iron, and steel, per second article treaty twentieth September, eighteen hundred and twenty-eight, and tenth article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, three hundred dollars.

Vol. ix. p. 855. For permanent provision for three blacksmiths and assistants, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, two thousand one hundred and sixty dollars.

For permanent provision for iron and steel for shops, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, six hundred and sixty dollars.

For permanent provision for fifty barrels of salt, per second article of treaty twenty-ninth July, eighteen hundred and twenty-nine, two hundred and fifty dollars.

For interest on six hundred and forty-three thousand dollars, at five per centum, per seventh article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, thirty-two thousand one hundred and fifty dollars.

Pottawatomes of Huron. — For permanent annuity in money or otherwise, per second article treaty seventeenth November, eighteen hundred and seven, four hundred dollars.

Quapaws. — For education during the pleasure of the President, per Vol. vii. p. 425. third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand dollars.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand and sixty dollars.

For farmer during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, six hundred dollars.

Rogue Rivers. — For ninth of sixteen instalments in blankets, clothing, farming utensils, and stock, per third article treaty tenth September, Vol. x. p. 1013. eighteen hundred and fifty-three, two thousand five hundred dollars.

Sacs and Foxes of Mississippi. — For permanent annuity in goods or otherwise, per third article treaty third November, eighteen hundred and four, one thousand dollars. Sacs and Foxes of Mississippi. Vol. vii. p. 85.

For interest on two hundred thousand dollars, at five per centum, per second article treaty twenty-first October, eighteen hundred and thirty-seven, ten thousand dollars. Vol. vii. p. 540.

For interest on eight hundred thousand dollars, at five per centum, per second article treaty eleventh October, eighteen hundred and forty-two, forty thousand dollars. Vol. vii. p. 596.

Sacs and Foxes of Missouri. — For interest on one hundred and fifty-seven thousand four hundred dollars, at five per centum, under the direction of the President, per second article treaty twenty-first October, eighteen hundred and thirty-seven, seven thousand eight hundred and seventy dollars. Sacs and Foxes of Missouri. Vol. vii. p. 540.

Seminoles. — For the sixth of ten instalments for the support of schools, per eighth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars. Seminoles. Vol. xi. p. 702.

For the sixth of ten instalments for agricultural assistance, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For the sixth of ten instalments for the support of smiths and smiths' shops, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand two hundred dollars.

For five per centum interest on two hundred and fifty thousand dollars, to be paid as annuity, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

For interest on two hundred and fifty thousand dollars, at five per centum, to be paid as annuity, they having joined their brethren west, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

Senecas. — For permanent annuity in specie, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, five hundred dollars. Senecas. Vol. vii. p. 161.

For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, five hundred dollars.

For blacksmith and assistant, shop and tools, and iron and steel, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, one thousand and sixty dollars. Vol. vii. p. 349.

For miller during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, six hundred dollars.

Senecas of New York. — For permanent annuity, in lieu of interest on stock, per act of nineteenth February, eighteen hundred and thirty-one, six thousand dollars. Senecas of New York. 1831, ch. 26. Vol. iv. p. 442.

For interest, in lieu of investment, on seventy-five thousand dollars, at five per centum, per act of twenty-seventh June, eighteen hundred and forty-six, three thousand seven hundred and fifty dollars. 1846, ch. 34. Vol. ix. p. 35.

For interest at five per centum, on forty-three thousand and fifty dollars, transferred from Ontario Bank to the United States treasury, per act of twenty-seventh June, eighteen hundred and forty-six, two thousand one hundred and fifty-two dollars and fifty cents.

Senecas and Shawnees. — For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars. Senecas and Shawnees. Vol. vii. p. 179.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per fourth article treaty twentieth July, eighteen hundred and thirty-one, one thousand and sixty dollars. Vol. vii. p. 352.

- Shawnees.** *Shawnees.* — For permanent annuity for educational purposes, per Vol. vii. p. 51. fourth article treaty third August, seventeen hundred and ninety-five, and third article treaty tenth May, eighteen hundred and fifty-four, one thousand dollars.
- For ninth instalment of interest, at five per centum, on forty thousand dollars for education, per third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.
- For permanent annuity for educational purposes, per fourth article Vol. vii. p. 160. treaty twenty-ninth September, eighteen hundred and seventeen, and third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.
- Six Nations of New York.** *Six Nations of New York.* — For permanent annuity in clothing and other useful articles, per sixth article treaty eleventh November, seven- Vol. vii. p. 46. teen hundred and ninety-four, four thousand five hundred dollars.
- Sioux of Miss- sissippi.** *Sioux of Mississippi.* — For interest on three hundred thousand dollars, at five per centum, per second article treaty twenty-ninth September, Vol. vii. p. 538. eighteen hundred and thirty-seven, fifteen thousand dollars.
- For twelfth of fifty instalments of interest, at five per centum, on one Vol. x. p. 949. million three hundred and sixty thousand dollars, per fourth article treaty twenty-third July, eighteen hundred and fifty-one, sixty-eight thousand dollars.
- For twelfth of fifty instalments of interest, at five per centum, on one Vol. x. p. 951. hundred and twelve thousand dollars, being the amount in lieu of the res- ervations set apart in the third article of Senate's amendment of twenty- third June, eighteen hundred and fifty-two, to treaty twenty-third July, eighteen hundred and fifty-one, five thousand six hundred dollars.
- For twelfth of fifty instalments of interest, at five per centum, on one Vol. x. p. 955. million one hundred and sixty thousand dollars, per fourth article treaty fifth August, eighteen hundred and fifty-one, fifty-eight thousand dollars.
- For twelfth of fifty instalments of interest, at five per centum, on sixty- nine thousand dollars, being the amount allowed in lieu of the reservation of lands set apart by the third article of Senate's amendment of twenty- third June, eighteen hundred and fifty-two, to treaty fifth August, eighteen hundred and fifty-one, three thousand four hundred and fifty dollars.
- Treaty of Fort Laramie.** *Treaty of Fort Laramie.* — For second of five instalments, at the dis- Vol. xi. p. 749. cretion of the President, in provisions and merchandise, for payment of annuities, and transportation of the same, to certain tribes of Indians, seventy thousand dollars.
- Umpquas (Cow Creek Band.)** *Umpquas (Cow Creek Band.)* — For ninth of twenty instalments in Vol. x. p. 1027. blankets, clothing, provisions, and stock, per third article treaty nineteenth September, eighteen hundred and fifty-three, five hundred and fifty dol- lars.
- Umpquas and Calapooias, of Umpqua Valley, Oregon.** *Umpquas and Calapooias, of Umpqua Valley, Oregon.* — For third of Vol. x. p. 1027. five instalments, of the second series, of annuity for beneficial objects, to be expended as directed by the President, per third article treaty nine- teenth September, eighteen hundred and fifty-three, two thousand three hundred dollars.
- For eighth of ten instalments for the pay of a blacksmith, and furnish- Vol. x. p. 1127. ing shop, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand five hundred dollars.
- For eighth of fifteen instalments for the pay of a physician and pur- chase of medicines, per sixth article treaty twenty-ninth November, eigh- teen hundred and fifty-four, two thousand dollars.
- For eighth of ten instalments for the pay of a farmer, per sixth articleⁿ Vol. x. p. 1127. treaty twenty-ninth November, eighteen hundred and fifty-four, one thou- sand dollars.
- For eighth of twenty instalments for the pay of a teacher and purchase of books and stationery, per sixth article treaty twenty-ninth November, Vol. x. p. 1127. eighteen hundred and fifty-four, one thousand four hundred and fifty dol- lars.

Winnebagoes. — For interest on one million one hundred thousand dollars, at five per centum, per fourth article treaty first November, eighteen hundred and thirty-seven, fifty-five thousand dollars. Winnebagoes.
Vol. viii. p. 545.

For sixteenth of thirty instalments of interest on eighty-five thousand dollars, at five per centum, per fourth article treaty *thirtieth* [thirteenth] October, eighteen hundred and forty-six, four thousand two hundred and fifty dollars. Vol. ix. p. 878.

Yancton Tribe of Sioux. — For fourth of ten instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle and reside upon their reservation, per fourth article treaty nineteenth April, eighteen hundred and fifty-eight, sixty-five thousand dollars. Yancton Tribe
of Sioux.
Vol. xi. p. 744.

Calapooias, Molalla, and Clackamas Indians, of Willamette Valley. — For third of five instalments of annuity for beneficial objects, per second article treaty twenty-second January, eighteen hundred and fifty-five, eight thousand dollars. Calapooias,
Molalla, and
Clackamas In-
dians, of Willa-
mette Valley.
Vol. x. p. 1144.

Poncas. — For fourth of five instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle upon the tract reserved for their future homes, per second article treaty twelfth March, eighteen hundred and fifty-eight, twelve thousand dollars. Poncas.
Post, p. 997.

For fourth of ten instalments for the establishment and maintenance of one or more manual labor schools, under the direction of the President, per second article treaty twelfth March, eighteen hundred and fifty-eight, five thousand dollars.

For fourth of ten instalments, or during the pleasure of the President, to be expended in furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of the mill provided for in the first part of this article, as the Secretary of the Interior may consider advantageous and necessary for them, per second article treaty twelfth March, eighteen hundred and fifty-eight, seven thousand five hundred dollars.

Dwamish and other Allied Tribes in Washington Territory. — For third instalment on one hundred and fifty thousand dollars, under the direction of the President, per sixth article treaty twenty-second January, eighteen hundred and fifty-five, twelve thousand dollars. Dwamish and
other allied
Tribes in Wash-
ington Territory.
Post, p. 927.

For third of twenty instalments for the establishment and support of an agricultural and industrial school, and to provide said school with a suitable instructor or instructors, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, three thousand dollars.

For third of twenty instalments for the establishment and support of a smith and carpenter shop, and to furnish them with the necessary tools, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Makah Tribe. — For third instalment on thirty thousand dollars, under the direction of the President, per fifth article treaty thirty-first January, eighteen hundred and fifty-five, two thousand five hundred dollars. Makah Tribe.
Post, p. 940.

For third of twenty instalments for the support of an agricultural and industrial school, and for pay of teachers, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For third of twenty instalments for support of a smith and carpenter shop, and to provide the necessary tools therefor, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Walla-Walla,
Cayuse, and
Umatilla Tribes.
Post, p. 947.

Walla-Walla, Cayuse, and Umatilla Tribes.— For third of five instalments of eight thousand dollars, under the direction of the President, per second article treaty ninth June, eighteen hundred and fifty-five, eight thousand dollars.

For third of twenty instalments for the purchase of all necessary mill fixtures and mechanical tools, medicines, and hospital stores, books and stationery for schools, and furniture for the employees, per fourth article treaty ninth June, eighteen hundred and fifty-five, three thousand dollars.

For third of twenty instalments for the pay and subsistence of one superintendent of farming operations, one farmer, two millers, one blacksmith, one wagon and plough maker, one carpenter and joiner, one physician, and two teachers, per fourth article treaty ninth June, eighteen hundred and fifty-five, eleven thousand two hundred dollars.

For third of twenty instalments for the pay of each of the head chiefs of the Walla-Walla, Cayuse, and Umatilla bands, the sum of five hundred dollars per annum, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand five hundred dollars.

For third of twenty instalments for salary for the son of Pio-pio-mox-mox, per fifth article treaty ninth June, eighteen hundred and fifty-five, one hundred dollars.

Yakima Nation.
Post, p. 953.

Yakima Nation.— For third of five instalments for beneficial objects, at the discretion of the President, per fourth article treaty ninth June, eighteen hundred and fifty-five, ten thousand dollars.

For third of twenty instalments for the support of two schools, one of which is to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty ninth June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For third of twenty instalments for the employment of one superintendent of farming and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty ninth June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For third of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and fixtures therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for the pay of a physician, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For third of twenty instalments for keeping in repair the buildings required for the various employees, and for providing the necessary furniture therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for the salary of such person as the said confederated tribes and bands of Indians may select to be their head chief, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

Nez Perce In-
dians.

Nez Perce Indians.— For third of five instalments for beneficial objects,

at the discretion of the President, per fourth article treaty eleventh June, eighteen hundred and fifty-five, ten thousand dollars.

Post, p. 958.

For third of twenty instalments for the support of two schools, one of which to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For third of twenty instalments for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of one superintendent of farming, and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty eleventh June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For third of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for pay of a physician, per fifth article treaty eleventh June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For third of twenty instalments for keeping in repair the buildings for the various employees, and for providing the necessary furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for the salary of such person as the tribe may select to be their head chief, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

Flatheads and other Confederated Tribes. — For third instalment on one hundred and twenty thousand dollars for beneficial objects, at the discretion of the President, per fourth article treaty sixteenth July, eighteen hundred and fifty-five, six thousand dollars.

Flatheads and other Confederated Tribes.
Post, p. 976.

For third of twenty instalments for the support of an agricultural and industrial school, keeping in repair the buildings, and providing suitable furniture, books, and stationery, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for providing suitable instructors therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For third of twenty instalments for keeping in repair blacksmiths' tin and gunsmiths', carpenters', and wagon and plough makers' shops, and providing necessary tools therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of two farmers, two millers, one blacksmith, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, seven thousand four hundred dollars.

For third of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for pay of a physician, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand four hundred dollars.

For third of twenty instalments for keeping in repair the buildings required for the various employees, and furnishing necessary furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For third of twenty instalments for the pay of each of the head chiefs of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, fifteen hundred dollars.

Confederated Tribes and Bands of Indians in Middle Oregon.
Post, p. 964.

Confederated Tribes and Bands of Indians in Middle Oregon.—For third of five instalments of eight thousand dollars for beneficial objects, at the discretion of the President, per second article treaty twenty-fifth June, eighteen hundred and fifty-five, eight thousand dollars.

For third of fifteen instalments for pay and subsistence of one farmer, one blacksmith, and one wagon and plough maker, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, three thousand five hundred dollars.

For third of twenty instalments for pay and subsistence of one physician, one sawyer, one miller, one superintendent of farming operations, and one school teacher, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five thousand six hundred dollars.

For third of twenty instalments for payment of salary to the head chief of said confederated bands, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five hundred dollars.

Mole Indians.
Post, p. 981.

Mole Indians.—For third of ten instalments for keeping in repair saw and flouring mills, and for the pay of necessary employees, the benefits of which to be shared alike by all the confederated bands, per second article treaty, twenty-first December, eighteen hundred and fifty-five, one thousand five hundred dollars.

For third of five instalments (in addition to the instalments specified in the treaty of twenty-ninth November, eighteen hundred and fifty-four, with the Umpquas and Calapooias of Umpqua valley) for furnishing iron and steel and other materials for the smith and tin shops provided for in said treaty, and for the pay of the necessary mechanics, per second article treaty twenty-first December, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For third of ten instalments for the pay of a carpenter and joiner to aid in erecting buildings and making furniture for said Indians, and to furnish tools in said service, per second article treaty twenty-first December, eighteen hundred and fifty-five, two thousand dollars.

For pay of teachers to manual labor school, for all necessary materials therefor, and for the subsistence of the pupils, per second article treaty twenty-first December, eighteen hundred and fifty-five, three thousand dollars.

For third of five instalments for the pay of an additional farmer, per second article treaty twenty-first December, eighteen hundred and fifty-five, eight hundred dollars.

Qui-nai-elt and Quil-leh-ute Indians.
Post, p. 972.

Qui-nai-elt and Quil-leh-ute Indians.—For third instalment on twenty-five thousand dollars for beneficial objects, under the direction of the President, per fourth article treaty first July, eighteen hundred and fifty-five, two thousand dollars.

For third of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable instructors, per tenth article

treaty first July, eighteen hundred and fifty-five, two thousand five hundred dollars.

For third of twenty instalments for support of smith and carpenter shop, and to provide the necessary tools therefor, per tenth article treaty first July, eighteen hundred and fifty-five, five hundred dollars.

For third of twenty instalments for the employment of a blacksmith, carpenter, and farmer, and a physician who shall furnish medicines for the sick, per tenth article treaty first July, eighteen hundred and fifty-five, four thousand six hundred dollars.

SKlallams. — For third instalment on sixty thousand dollars, under the direction of the President, per fifth article treaty twenty-sixth January, eighteen hundred and fifty-five, five thousand dollars.

SKlallams.
Post, p. 934.

For third of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable teachers, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For third of twenty instalments for the employment of a blacksmith, carpenter, farmer, and a physician who shall furnish medicines for the sick, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Indian Service in New Mexico. — For the general incidental expenses of the Indian service in New Mexico, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, fifty thousand dollars.

Indian service
in New Mexico;

Indian Service in the District of Country leased from the Choctaws for the Indians lately residing in Texas. — For the expenses of colonizing, supporting, and furnishing agricultural implements and stock; pay of necessary employees; purchase of clothing, medicine, iron, and steel; establishment and maintenance of schools, and building houses for the Indians lately residing in Texas, in lieu of those abandoned in that State, to be expended under the direction of the Secretary of the Interior, twenty-two thousand eight hundred and twenty-five dollars.

in country leased
from Choctaws
for Indians lately
in Texas.

For the Wichitas and other affiliated Bands. — For the expenses of colonizing, supporting, and furnishing said bands with agricultural implements and stock, pay of necessary employees, purchase of clothing, medicines, iron, and steel, and maintenance of schools, and building agency houses, to be expended under the direction of the Secretary of the Interior, thirty-seven thousand eight hundred dollars.

Wichitas and
other affiliated
bands.

Indian Service in California. — For the general incidental expenses of the Indian service in California, including travelling expenses of the superintending agents, seven thousand five hundred dollars.

Indian service
in California.

Miscellaneous. — For transportation, and necessary expenses of the delivery of Pawnee, Ponca, and Yancton Sioux annuity goods and provisions, ten thousand dollars.

Miscellaneous
annuities to
Pawnees, Poncas,
and Yancton
Sioux;

For transportation, and necessary expenses of the delivery of annuities and provisions to the Indian tribes in Minnesota and Michigan, twenty thousand three hundred and fifty dollars and sixty-two cents.

Indian tribes
in Minnesota and
Michigan;

For expenses of transportation and delivery of annuity goods to the Blackfeet Indians for the year, seventeen thousand dollars.

Blackfeet
Indians;

For transportation and necessary expenses of the delivery of annuities and provisions to the Chippewas of Lake Superior, five thousand seven hundred and sixty-two dollars and sixty-three cents.

the Chippewas
of Lake Superior;

For transportation and necessary expenses of the delivery of annuities and provisions to the Chippewas of the Mississippi, three thousand eight hundred and eighty-six dollars and seventy-five cents.

the Chippewas
of the Mississippi.

For compensation of five extra clerks employed in the Indian office, under the act of fifth August, eighteen hundred and fifty-four, and third

Extra clerks in
Indian office.
1854, ch. 267.
Vol. x. p. 576.

- 1855, ch. 175. March, eighteen hundred and fifty-five, and under appropriations made from year to year, seven thousand dollars.
Vol. x. p. 643.
- Clerk for bounty lands to Indians. For compensation of one clerk in the Indian office, to enable the Secretary of the Interior to carry out the regulations prescribed to give effect to the seventh section of the act of March third, eighteen hundred and fifty-five, granting bounty lands to Indians, fourteen hundred dollars.
- Extra clerks. For compensation of two extra clerks in the Indian office, employed to carry out the treaty with the Chickasaws in the adjustment of their claims, two thousand eight hundred dollars.
- Vaccination. For expenses attending the vaccination of Indians, two thousand five hundred dollars.
- Shawnees. For the payment to the Shawnees of the residue of seven hundred thousand dollars, to be paid after the termination of the seven years stipulated for in the third article of the treaty of tenth May, eighteen hundred and fifty-four, eighty-nine thousand dollars.
Vol. x. p. 1056.
- Umpquas and Calapooias of Umpqua Valley. *Umpquas and Calapooias of Umpqua Valley.* — For the first and second instalments of the second series of annuities of two thousand three hundred dollars each, not heretofore asked for, for beneficial objects, to be expended as directed by the President, four thousand six hundred dollars.
- Medallions for Indian tribes. For medallions of the President of the United States for distribution to Indian tribes, five thousand dollars.
- Incidental expenses of Indian service in Oregon and Washington. For the general incidental expenses of the Indian service in Oregon and Washington Territory, including insurance and transportation of annuity goods and presents, (where no special provision therefor is made by treaties,) and office and travelling expenses of the superintendent and sub-agents, thirty-five thousand dollars.
- Removal, &c., of Indians in Oregon and Washington. For defraying the expenses of the removal and subsistence of Indians in Oregon and Washington Territory (not parties to any treaty) and for pay of necessary employees, fifty thousand dollars: *Provided*, That all appropriations heretofore or hereafter made to carry into effect treaty stipulations, or otherwise, in behalf of any tribe or tribes of Indians, all or any portion of whom shall be in a state of actual hostility to the government of the United States, including the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, Wichitas, and other affiliated tribes, may and shall be suspended and postponed wholly or in part at and during the discretion and pleasure of the President: *Provided, further*, That the President is authorized to expend such part of the amount heretofore appropriated and not expended and hereinbefore appropriated for the benefit of the tribes named in the preceding proviso as he may deem necessary, for the relief and support of such individual members of said tribes as have been driven from their homes and reduced to want on account of their friendship to the government. And an account shall be kept of the sums so paid for the benefit of such tribe, which account shall be rendered to Congress at the commencement of the next session thereof. And all purchases of articles for the purposes above set forth, shall be made on advertisement, as provided in other cases, and an account shall be rendered of all such purchases, with a statement of the prices paid therefor: *And provided, further*, That in cases where the tribal organization of any Indian tribe shall be in actual hostility to the United States, the President is hereby authorized, by proclamation, to declare all treaties with such tribe to be abrogated by such tribe, if, in his opinion, the same can be done consistently with good faith and legal and national obligations.
- Part may be expended on those driven from their homes. To carry into effect the treaty of February eighteen, eighteen hundred and sixty-one, with Arapahoes and Cheyenne Indians of the Upper Arkansas River, viz:
- Accounts to be kept. For surveying the exterior of the reservation, and dividing the same between the two tribes, estimated to be three hundred and fifty miles, at
- Purchases to be made on advertisement.
- If tribe is in actual hostility, the President may declare all treaties with such tribe abrogated.
- Arapahoes and Cheyennes.
Post, p. 1163.
- Surveying reservation, &c.

an expense of ten dollars per mile for surveying, three thousand five hundred dollars.

For the first of fifteen instalments of annuity of thirty thousand dollars, to be expended for their benefit, that is to say, fifteen thousand dollars per annum for each tribe, commencing with the year in which they shall remove to and settle upon their reservations, for the fiscal year ending June thirty, eighteen hundred and sixty-two, thirty thousand dollars.

Annuity.

Also for the same object for the fiscal year ending June thirty, eighteen hundred and sixty-three, thirty thousand dollars.

For transportation and necessary expenses of delivering of annuities, goods, and provisions to the Arapahoes and Cheyenne Indians of the Upper Arkansas River for the fiscal year ending June thirty, eighteen hundred and sixty-two, five thousand dollars.

Transportation of annuities, &c.

Also for the same object for the fiscal year ending June thirty, eighteen hundred and sixty-three, five thousand dollars.

For the purpose of negotiating a treaty with the Chippewas of northern Minnesota, and the extinguishing of their title to the lands in that vicinity, or so much thereof as may be needed for that purpose, to be expended under the direction of the Secretary of the Interior, fifteen thousand dollars.

Chippewas of northern Minnesota.

For defraying the expenses of negotiating a treaty with the Shoshonees or Snake Indians, or so much thereof as may be needed, to be expended under the direction of the Secretary of the Interior, twenty thousand dollars.

Shoshonees or Snake Indians.

For amount in the hands of late agent W. W. Dennison, unaccounted for, belonging to the Ottoes and Missouriias, eighteen thousand nine hundred and seventy dollars and seven cents.

Ottoes and Missouriias.

For deficiency in the contingent fund of the Indian department for the balance of the half year ending June thirty, eighteen hundred and sixty-two, ten thousand dollars.

Deficiency in contingent fund.

SEC. 2. *And be it further enacted,* That after the end of the present fiscal year the salary of the superintendent of Indian affairs for the northern and for the southern districts of California shall be three thousand dollars.

Salary of superintendent in California.

SEC. 3. *And be it further enacted,* That the sum of forty thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated to enable the President to negotiate a treaty with the Nez Perce Indians of Oregon and Washington Territory, for the relinquishment of a portion or all of their present reservation, or its exchange for other lands.

Nez Percos.

SEC. 4. *And be it further enacted,* That under any of the appropriations contained in this act for the purpose of negotiating treaties, there shall be no new engagements entered into to pay moneys to any Indian tribe; that all payments to be made under such treaties shall be made in specific articles of clothing and agricultural implements.

No new engagements to pay moneys.

Payments, how made.

SEC. 5. *And be it further enacted,* That hereafter no goods shall be purchased by the Indian Department, or its agents, for any tribe, except upon the written requisition of the superintendent in charge of the tribe, and only upon public bids in the mode prescribed by law for the purchase of other supplies.

Goods for Indian Department to be purchased only on written requisition, &c.

SEC. 6. *And be it further enacted,* That the Secretary of the Interior be, and he is hereby, directed to cause settlements to be made with all persons appointed by Indian councils to receive moneys due to incompetent or orphan Indians, and to require all moneys found to be due to said incompetent or orphan Indians to be returned to the treasury of the United States; and all moneys so returned shall bear an interest at the rate of six per centum per annum, until paid by order of the Secretary of the Interior to those entitled to the same; and no money shall hereafter be paid to any person or persons appointed by any Indian council to receive

Settlements with incompetent or orphan Indians.

moneys due to incompetent or orphan Indians, but the same shall remain in the treasury of the United States until ordered to be paid by the said Secretary to those entitled to receive the same, and shall bear six per centum interest until so paid.

Indian service in California. SEC. 7. *And be it further enacted*, That the following sums be, and the same are hereby, in like manner appropriated, out of any money in the treasury not otherwise appropriated, for the Indian service in California :—

Clerks to superintendents. For salaries of clerks to superintendents of Indian Affairs for the Northern and Southern Districts of California, for three-quarters of the fiscal year ending June thirtieth, eighteen hundred and sixty-two, at eighteen hundred dollars per annum, twenty-seven hundred dollars :

For the same service for the fiscal year ending June thirty, eighteen hundred and sixty-three, at one thousand five hundred dollars per annum, three thousand dollars :

Pay of supervisors. For compensation of five supervisors for the reservations in California, to instruct the Indians in husbandry, for fiscal year ending June thirty, eighteen hundred and sixty-three, authorized by act of June nineteen, eighteen hundred and sixty, nine thousand dollars.

Purchase of cattle, &c. For the purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians, for the fiscal year ending June thirty, eighteen hundred and sixty-three, for the Northern District of California, twenty-five thousand dollars.

For the same for the Southern District of California, for the fiscal year ending June thirty, eighteen hundred and sixty-three, fifteen thousand dollars : *Provided*, That the Secretary of the Interior is hereby authorized and directed to inquire into the expediency of reducing the Indian reservations in California to two in number ; the proper places for the same ; the probable expense thereof ; the propriety of disposing of any of the reservations, and the value thereof, and of the property thereon ; of the manner and terms of such disposal ; and, in what manner, in his judgment, the expense of the Indian Department in that State can be reduced and its system simplified without injury to the same, and report thereon to the next regular session of Congress.

APPROVED, July 5, 1862.

Inquiry to be had as to reducing Indian reservations in California, &c.

July 11, 1862.

CHAP. CXXXVIII. — *An Act to grant the Right of Preemption to Settlers on certain Lots in Wisconsin.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of the General Land Office be, and he is hereby, directed to cause survey to be made of that portion of lots numbered ten and eleven, lying east of the River au Diable, in township twenty-three north, of range twenty-one east, in the State of Wisconsin, and which portion was not embraced by the confirmatory provisions of the act of Congress approved February twenty-one, eighteen hundred and twenty-three, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan."

APPROVED, July 11, 1862.

1823, ch. 10.
Vol. iii. p. 724.

July 11, 1862.

CHAP. CXXXIX. — *An Act in Relation to the Post-office Department.*

Limitation in suits against sureties of postmasters not to apply in States in rebellion.
1825, ch. 64.
Vol. iv., p. 102.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the time fixed for the limitation of suits against the sureties of postmasters by the third section of the act of Congress, entitled "An act to reduce into one the several acts establishing and regulating the Post-office Department," approved March third, one thousand eight hundred and twenty-five, shall not be considered

as running in any State or part thereof, the inhabitants whereof have been by proclamation of the President declared in a state of insurrection, during the time the insurrection shall continue.

SEC. 2. *And be it further enacted*, That any oath required by law to be taken by any contractor, postmaster, clerk, or employee of the Post-office Department, in any part of the United States mentioned in the preceding section, may be taken before any officer, civil or military, holding a commission under the United States, and such officer is hereby authorized to administer and certify such oath.

Oath of contractor, before whom may be taken.

APPROVED, July 11, 1862.

CHAP. CXL. — *An Act to carry into Effect the Treaty between the United States and her Britannic Majesty for the Suppression of the African Slave-Trade.*

July 11, 1862.
Post, p. 1225.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to carry into effect the provisions of the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade, the President be, and he is hereby, authorized to nominate, and by and with the advice and consent of the Senate to appoint, a judge and also an arbitrator on the part of the United States to reside at New York; a judge and also an arbitrator to reside at Sierra Leone; and a judge and also an arbitrator to reside at the Cape of Good Hope.

Certain judges and arbitrators to be appointed on the part of the United States.

One at New York;
one at Sierra Leone;
one at the Cape of Good Hope.

SEC. 2. *And be it further enacted*, That the said judge at New York shall be paid at the rate of two thousand five hundred dollars, and the said arbitrator there at the rate of one thousand dollars a year, and the said judges at Sierra Leone and the Cape of Good Hope shall be paid at the rate of two thousand five hundred dollars a year, respectively, and the said arbitrators at these two places at the rate of two thousand dollars a year, respectively, the said salaries to begin with the acceptance of their commissions by the said judges and arbitrators respectively.

Compensation of judges and arbitrators.

SEC. 3. *And be it further enacted*, That the judge of the court at New York, whose appointment is authorized by this act, shall have power to appoint a clerk or registrar to the said court, who shall receive such fees for his services as are allowed by law to the clerk of the court of the United States for the southern district of New York for similar services; and it shall be the duty of the marshal of the southern district of New York, and he is hereby authorized, to serve all processes and execute all orders and decrees of the said court, for which he shall be allowed fees in the discretion of the judge of the said court.

The judge at New York may appoint a clerk, &c.

Fees.

Duty of marshal.

SEC. 4. *And be it further enacted*, That all acts and parts of acts of Congress inconsistent with the stipulations of the treaty aforesaid and with the present act be, and the same are hereby, repealed.

Inconsistent laws repealed.

APPROVED, July 11, 1862.

CHAP. CXXI. — *An Act for the Relief of the Widows and Orphans of the Officers, Seamen, and Marines of the United States Ships "Cumberland" and "Congress."*

July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the widow, or child, or children, and in case there shall be no widow, or child, or children, then the parent or parents, and if there be no parents, the brothers and sisters, of the officers, seamen, and marines, and others in service who were lost in the United States ships "Cumberland" and "Congress," including captains' clerks, shall be entitled to and shall receive, out of any money in the treasury not otherwise appropriated, a sum equal to twelve months' pay of their respective deceased relations aforesaid, in addition to the pay due to the said deceased at the date of the loss of said vessels.

Widows and children, &c., of those lost in the Cumberland and Congress to receive equal to twelve months' pay, &c.

APPROVED, July 11, 1862.

July 11, 1862.

CHAP. CXLII. *An Act to authorize an additional Issue of United States Notes, and for other Purposes.*

Additional issue of \$150,000,000 treasury notes authorized.

Denominations.

Notes not to be issued for fractional parts of a dollar.

To be receivable for all dues, except duties on imports and interest, &c.

To be legal tender.

Certificates of deposit.

Convertible into coupon, &c., bonds.

Proviso.

Secretary may exchange notes for any United States bonds, &c.

Notes may be engraved, &c., in the treasury department.

Limitation upon temporary deposits, repealed.

Not to exceed \$100,000,000.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to issue, in addition to the amounts heretofore authorized, on the credit of the United States, one hundred and fifty millions of dollars of United States notes, not bearing interest, payable to bearer at the treasury of the United States, and of such denominations as he may deem expedient: *Provided,* That no note shall be issued for the fractional part of a dollar, and not more than thirty-five millions shall be of lower denominations than five dollars; and such notes shall be receivable in payment of all loans made to the United States, and of all taxes, internal duties, excises, debts, and demands of every kind due to the United States, except duties on imports and interest, and of all claims and demands against the United States, except for interest upon bonds, notes, and certificates of debt or deposit; and shall also be lawful money and a legal tender in payment of all debts, public and private, within the United States, except duties on imports and interest, as aforesaid. And any holder of said United States notes depositing any sum not less than fifty dollars, or some multiple of fifty dollars, with the Treasurer of the United States, or either of the assistant treasurers, shall receive in exchange therefor duplicate certificates of deposit, one of which may be transmitted to the Secretary of the Treasury, who shall thereupon issue to the holder an equal amount of bonds of the United States, coupon or registered, as may by said holder be desired, bearing interest at the rate of six per centum per annum, payable semi-annually, and redeemable at the pleasure of the United States after five years, and payable twenty years from the date thereof: *Provided, however,* That any notes issued under this act may be paid in coin, instead of being received in exchange for certificates of deposit as above specified, at the direction of the Secretary of the Treasury. And the Secretary of the Treasury may exchange for such notes, on such terms as he shall think most beneficial to the public interest, any bonds of the United States bearing six per centum interest, and redeemable after five and payable in twenty years, which have been or may be lawfully issued under the provisions of any existing act; may reissue the notes so received in exchange; may receive and cancel any notes heretofore lawfully issued under any act of Congress, and in lieu thereof issue an equal amount in notes such as are authorized by this act; and may purchase, at rates not exceeding that of the current market, and cost of purchase not exceeding one-eighth of one per centum, any bonds or certificates of debt of the United States as he may deem advisable.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be, and is hereby, authorized, in case he shall think it inexpedient to procure said notes, or any part thereof, to be engraved and printed by contract, to cause the said notes, or any part thereof, to be engraved, printed, and executed, in such form as he shall prescribe, at the Treasury Department in Washington, and under his direction; and he is hereby empowered to purchase and provide all the machinery and materials, and to employ such persons and appoint such officers as may be necessary for this purpose.

SEC. 3. *And be it further enacted,* That the limitation upon temporary deposits of United States notes with any assistant treasurer, or designated depository authorized by the Secretary of the Treasury to receive such deposits, to fifty millions of dollars be, and is hereby, repealed; and the Secretary of the Treasury is authorized to receive such deposits, under such regulations as he may prescribe, to such amount as he may deem expedient, not exceeding one hundred millions of dollars, for not less than thirty days, in sums not less than one hundred dollars, at a rate of interest

not exceeding five per centum per annum; and any amount so deposited may be withdrawn from deposit, at any time after ten days' notice, on the return of the certificate of deposit. And of the amount of United States notes authorized by this act, not less than fifty millions of dollars shall be reserved for the purpose of securing prompt payment of such deposits when demanded, and shall be issued and used only when, in the judgment of the Secretary of the Treasury, the same, or any part thereof may be needed for that purpose. And certificates of deposit and of indebtedness issued under this or former acts may be received on the same terms as United States notes in payment for bonds redeemable after five and payable in twenty years.

Deposits may be withdrawn on ten days' notice.

Reserve for payment of deposits.

Certificates convertible into stock.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury may, at any time until otherwise ordered by Congress, and under the restrictions imposed by the "Act to authorize a national loan, and for other purposes," borrow, on the credit of the United States, such part of the sum of two hundred and fifty millions mentioned in said act as may not have been borrowed, under the provisions of the same, within twelve months from the passage thereof.

Secretary of Treasury may borrow part of \$250,000,000, authorized by act of 1861, ch. 5.

SEC. 5. *And be it further enacted*, That any part of the appropriation of ten thousand dollars for the detection and bringing to trial of persons engaged in counterfeiting the coin of the United States, made by the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending thirtieth of June, eighteen hundred and sixty-one," approved June twenty-three, eighteen hundred and sixty, may be applied in detecting and bringing to trial and punishment persons engaged in counterfeiting treasury notes, bonds, or other securities of the United States, as well as the coin of the United States. And to carry into effect the preceding sections of this act the sum of three hundred thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated.

Appropriation to detect counterfeiting of coin, how may be applied. 1860, ch. 205. Ante, p. 102.

Appropriation.

SEC. 6. *And be it further enacted*, That all the provisions of the act entitled "An act to authorize the issue of United States notes, and for the redemption or funding thereof, and for funding the floating debt of the United States," approved February twenty-five, eighteen hundred and sixty-two, so far as the same can or may be applied to the provisions of this act, and not inconsistent therewith, shall apply to the notes hereby authorized to be issued.

Provisions of act of 1862, ch. 33, applicable to this act.

Ante, p. 345.

APPROVED, July 11, 1862.

CHAP. CXLIII. — *An Act making further Appropriations for sundry Civil Expenses of the Government for the Year ending thirtieth of June, eighteen hundred and sixty-three, and additional Appropriations for the Year ending thirtieth June, eighteen hundred and sixty-two.* July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the objects hereafter expressed, for the fiscal year ending thirtieth of June, eighteen hundred and sixty-three, viz:

Appropriation

For completing the west wing of the Treasury Building, five hundred thousand dollars. Treasury Building.

For painting the outside of the old portion of the Capitol, eight thousand dollars. Capitol.

To pay the amount provided for under and by virtue of an act entitled "An act to facilitate communication between the Atlantic and Pacific States by electric telegraph," or so much thereof as may become payable under said act, forty thousand dollars. Atlantic, &c., Telegraph. 1860, ch. 137. Ante, p. 41.

For the purpose of enabling the commissioner of public buildings and grounds to remove the army bakery from the basement floor of the Capitol.

Capitol and to repair the damage caused by said bakery, the sum of eight thousand dollars, or so much thereof as may be necessary.

Burglar-proof vaults in office of assistant treasurer at New York.

For constructing burglar-proof vaults for the assistant treasurer at New York, and fire-proof file cases for the collector at New York, and for the incidental expenses of a change of location of these offices, one hundred thousand dollars.

Custom-houses.

For annual repairs to custom houses, including a new roof for the Milwaukee custom-house, and repairing the damage by fire, ten thousand dollars.

Warehouses, &c. at Staten Island.

For repairing the government warehouses, wharves, and fences, at Staten Island, fifteen thousand dollars.

Mission to Hayti;

For the salary of a Commissioner and Consul-General to the Republic of Hayti, seven thousand five hundred dollars.

to Liberia. *Ante*, p. 421.

For the salary of a Commissioner and Consul-General to the Republic of Liberia, four thousand dollars.

Draw-keepers of Potomac Bridge.

For compensation of four additional draw-keepers for the two draws at the Potomac Bridge, three thousand and sixty-six dollars.

Pay of Treasurer of the United States.

SEC. 2. *And be it further enacted*, That the compensation of the Treasurer of the United States shall be four thousand dollars a year, to commence on the first day of July, eighteen hundred and sixty-two.

Deficiency appropriation for 1862.

SEC. 3. *And be it further enacted*, That the following sums be, and the same are hereby, appropriated, to supply deficiencies in the appropriations for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-two, out of any money in the treasury not otherwise appropriated.

Capitol and public grounds.

To supply the deficiency in the appropriation for lighting the Capitol and public grounds, twelve thousand dollars.

Act incorporating Washington Gas-Light Company amended.

And the act incorporating the "Washington Gas-Light Company" is hereby so amended as to prohibit the said company from receiving, after the first day of July, eighteen hundred and sixty-two, more than twenty-eight cents per hundred cubic feet of gas furnished by it to the government, and thirty cents to other customers, subject to a discount of not less than ten per centum on all bills for gas, if paid at the office of said company within five days from the rendition thereof, provided all arrears shall have been previously paid.

1848, ch. 96. Vol. ix. p. 722.

Seventh census.

To supply a deficiency in the appropriation for the seventh census, three thousand dollars, or so much thereof as may be found necessary.

Art Commissioners.

For compensation to Henry K. Brown, James R. Lambdin, and John F. Kensett, for thirteen months' service as art commissioners, appointed by the President of the United States under acts of Congress of June twelfth, eighteen hundred and fifty-eight, and March third, eighteen hundred and fifty-nine, nine thousand dollars.

1858, ch. 154. Vol. xi. p. 323. 1859, ch. 82. Vol. xi. p. 428.

Atlantic and Pacific Telegraph.

To pay the amount due under and by virtue of the act entitled "An act to facilitate communication between the Atlantic and Pacific States by electric telegraph," for the period embraced between November one, eighteen hundred and sixty-one, and June thirty, eighteen hundred and sixty-two, twenty-six thousand six hundred and thirty dollars and forty-four cents.

1860, ch. 137. *Ante*, p. 41.

Mint at Philadelphia.

To supply deficiency in the appropriation for incidental and contingent expenses, including wastage, at the mint of the United States at Philadelphia, twenty-three thousand six hundred and forty-three dollars and eighty-four cents.

Transportation of bullion and coin.

For additional expenses in transportation of bullion and coin between the assay-office and the mint for the year eighteen hundred and sixty-one, twenty-one thousand dollars.

Assistant Secretary of Interior.

For compensation of Assistant Secretary of the Interior, per act of fourteenth of March, eighteen hundred and sixty-two, from fourteenth of March to thirtieth of June, eighteen hundred and sixty-two, eight hundred and seventy-five dollars.

1862, ch. 41, § 6. *Ante*, p. 369.

For compensation of the Assistant Secretary of the Interior during the

fiscal year ending thirtieth June, eighteen hundred and sixty-three, three thousand dollars.

For compensation of four additional draw-keepers for the two draws at the Potomac Bridge, from the dates of their several appointments to the thirtieth of June, eighteen hundred and sixty-two, three hundred ninety-five dollars and forty cents. Draw-keepers of Potomac Bridge.

To supply a deficiency in the appropriation for the contingent fund of the Senate for furniture, fitting of rooms, gas fitting, repairing, painting, painting materials, and other miscellaneous items, ten thousand dollars. Contingent fund of Senate; furniture, &c.

APPROVED, July 11, 1862.

CHAP. CXLIV. — *An Act making Appropriations for the Payment of the Bounty authorized by the Sixth Section of an Act entitled "An Act to authorize the Employment of Volunteers to aid in enforcing the Laws and protecting Public Property," approved July twenty-second, eighteen hundred and sixty-one, and for other Purposes.* July 11, 1862.
1861, ch. 9, § 6.
Ante, p. 270.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereinafter expressed, viz: Appropriation.

For payment of the bounty to widows, children, fathers, mothers, brothers, and sisters of such volunteers as may have died or been killed, or may die or be killed, in service, authorized by the sixth section of an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, five millions of dollars, or so much thereof as may be found necessary: *Provided,* That said bounty shall be paid to the following persons, and in the order following, and to no other person, to wit: first, to the widow of such deceased soldier, if there be one; second, if there be no widow, then to the children of such deceased soldier, share and share alike; third, if such soldier left neither a widow, or child, or children, then, and in that case, such bounty shall be paid to the following persons, provided they be residents of the United States, to wit: first, to his father; or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother as aforesaid, then such bounty shall be paid to the brothers and sisters of the deceased soldier, resident as aforesaid. Bounty to widows, &c., of volunteers.

For payment of the bounty to widows, children, fathers, mothers, brothers, and sisters of such volunteers as may have died or been killed, or may die or be killed, in service, authorized by the sixth section of an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, five millions of dollars, or so much thereof as may be found necessary: *Provided,* That said bounty shall be paid to the following persons, and in the order following, and to no other person, to wit: first, to the widow of such deceased soldier, if there be one; second, if there be no widow, then to the children of such deceased soldier, share and share alike; third, if such soldier left neither a widow, or child, or children, then, and in that case, such bounty shall be paid to the following persons, provided they be residents of the United States, to wit: first, to his father; or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother as aforesaid, then such bounty shall be paid to the brothers and sisters of the deceased soldier, resident as aforesaid. To whom bounty shall be paid.

For payment of the bounty to widows, children, fathers, mothers, brothers, and sisters of such volunteers as may have died or been killed, or may die or be killed, in service, authorized by the sixth section of an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, five millions of dollars, or so much thereof as may be found necessary: *Provided,* That said bounty shall be paid to the following persons, and in the order following, and to no other person, to wit: first, to the widow of such deceased soldier, if there be one; second, if there be no widow, then to the children of such deceased soldier, share and share alike; third, if such soldier left neither a widow, or child, or children, then, and in that case, such bounty shall be paid to the following persons, provided they be residents of the United States, to wit: first, to his father; or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother as aforesaid, then such bounty shall be paid to the brothers and sisters of the deceased soldier, resident as aforesaid. Widow.

For payment of the bounty to widows, children, fathers, mothers, brothers, and sisters of such volunteers as may have died or been killed, or may die or be killed, in service, authorized by the sixth section of an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, five millions of dollars, or so much thereof as may be found necessary: *Provided,* That said bounty shall be paid to the following persons, and in the order following, and to no other person, to wit: first, to the widow of such deceased soldier, if there be one; second, if there be no widow, then to the children of such deceased soldier, share and share alike; third, if such soldier left neither a widow, or child, or children, then, and in that case, such bounty shall be paid to the following persons, provided they be residents of the United States, to wit: first, to his father; or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother as aforesaid, then such bounty shall be paid to the brothers and sisters of the deceased soldier, resident as aforesaid. Children.

For payment of the bounty to widows, children, fathers, mothers, brothers, and sisters of such volunteers as may have died or been killed, or may die or be killed, in service, authorized by the sixth section of an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, five millions of dollars, or so much thereof as may be found necessary: *Provided,* That said bounty shall be paid to the following persons, and in the order following, and to no other person, to wit: first, to the widow of such deceased soldier, if there be one; second, if there be no widow, then to the children of such deceased soldier, share and share alike; third, if such soldier left neither a widow, or child, or children, then, and in that case, such bounty shall be paid to the following persons, provided they be residents of the United States, to wit: first, to his father; or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother as aforesaid, then such bounty shall be paid to the brothers and sisters of the deceased soldier, resident as aforesaid. Father.

For payment of the bounty to widows, children, fathers, mothers, brothers, and sisters of such volunteers as may have died or been killed, or may die or be killed, in service, authorized by the sixth section of an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, five millions of dollars, or so much thereof as may be found necessary: *Provided,* That said bounty shall be paid to the following persons, and in the order following, and to no other person, to wit: first, to the widow of such deceased soldier, if there be one; second, if there be no widow, then to the children of such deceased soldier, share and share alike; third, if such soldier left neither a widow, or child, or children, then, and in that case, such bounty shall be paid to the following persons, provided they be residents of the United States, to wit: first, to his father; or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother as aforesaid, then such bounty shall be paid to the brothers and sisters of the deceased soldier, resident as aforesaid. Mother.

For payment of the bounty to widows, children, fathers, mothers, brothers, and sisters of such volunteers as may have died or been killed, or may die or be killed, in service, authorized by the sixth section of an act entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, five millions of dollars, or so much thereof as may be found necessary: *Provided,* That said bounty shall be paid to the following persons, and in the order following, and to no other person, to wit: first, to the widow of such deceased soldier, if there be one; second, if there be no widow, then to the children of such deceased soldier, share and share alike; third, if such soldier left neither a widow, or child, or children, then, and in that case, such bounty shall be paid to the following persons, provided they be residents of the United States, to wit: first, to his father; or if he shall not be living, or has abandoned the support of his family, then to the mother of such soldier; and if there be neither father nor mother as aforesaid, then such bounty shall be paid to the brothers and sisters of the deceased soldier, resident as aforesaid. Brothers, &c.

For compensation of twenty additional clerks, hereby authorized to be employed in the office of the Commissioner of Pensions, to wit: For fifteen clerks of the first class, eighteen thousand dollars; for five clerks of the second class, seven thousand dollars. Twenty additional clerks in pension-office.

SEC. 2. *And be it further enacted,* That the sum of three thousand dollars, or so much thereof as may be found necessary, be, and the same is hereby, appropriated for the expenses of the committee on disloyal employees of the government, appointed by resolution of the House of Representatives, July eight, eighteen hundred and sixty-one. Expenses of committee on disloyal employees.

SEC. 3. *And be it further enacted,* That that part of the sixth section of the act "to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," approved July twenty-second, eighteen hundred and sixty-one, which secured to the widow, if there be one, and if not, the legal heirs of such volunteers as die or may be killed in service, in addition to all arrears of pay and allowances, a bounty of one hundred dollars, shall be held to apply to those persons who have enlisted in the regular forces since the first day of July, eighteen hundred and sixty-one, or shall enlist in the regular forces during the year eighteen hundred and sixty-two, and be paid to the heirs named in this act; and that the bounties herein provided for shall be paid out of any money appropriated for bounty to volunteers. Bounty under act of 1861, ch. 9, § 6, to apply to those enlisting in the regular service during 1862, &c.

APPROVED, July 11, 1862.

July 11, 1862.

CHAP. CXLV.— *An Act to amend an Act entitled "An act to divide the State of Illinois into two Judicial Districts," approved February 13, 1855.*

1855, ch. 96.
Vol. x. p. 606.
Counties of Hancock and McDonough transferred to southern district of Illinois.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the counties of Hancock and McDonough, in the State of Illinois, be, and the same are hereby, detached from the northern district of Illinois, and the same are hereby attached to the southern district of Illinois, and said counties shall hereafter constitute a part of said southern district of Illinois the same as if said counties had originally belonged to said southern district.

Provision for pending suits.

SEC. 2. *And be it further enacted,* That in any suit or suits pending at the time of the passage of this act either in the circuit or district court of the northern district of Illinois where any such suit or suits could originally have been brought in the southern district of Illinois if said counties of Hancock and McDonough had, at the time of commencing any such suit or suits, formed a part of said southern district, any party to any such suit or suits, upon application to the court, upon the oath either of such party, his or her agent or attorney, may have any such cause, together with the original files thereof and a certified copy of the recorded orders or decrees in said cause, transferred to the southern district of Illinois; any such cause, when so transferred, shall be heard and determined by the circuit or district court, as the case may be, in and for said southern district of Illinois, as if such cause had been originally commenced in the circuit or district court in and for said southern district.

Process, how served, &c.

SEC. 3. *And be it further enacted,* That all process issued out of either the circuit or district court for the northern district of Illinois prior to the passage of this act, and not served before its passage, shall be served and returned in the same manner as if this act had not been passed.

Judgment in pending causes, how executed.

SEC. 4. *And be it further enacted,* That in all causes pending either in the circuit or district court for the northern district of Illinois at the time of the passage of this act, which shall proceed to final judgment or decree without being removed from said northern to said southern district according to the provisions of this act, such judgments or decrees shall have like effect as though said counties of Hancock and McDonough had not been detached from said northern district; and any party thereto shall be entitled to have any such judgments or decrees executed by like final process or otherwise, the same as if the said counties of Hancock and McDonough had not been detached from said northern district, which said process shall also be executed and returned in the same manner as if said counties had not been detached from said northern district.

Repeal of conflicting provisions.

SEC. 5. *And be it further enacted,* That so much of the act to which this is an amendment as is in conflict herewith be, and the same is hereby, repealed.

APPROVED, July 11, 1862.

July 11, 1862.

CHAP. CXLVI.— *An Act concerning certain Lands heretofore granted to the State of Iowa.*

Certain lands granted to Iowa, discharged from the condition of the grant.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the five sections of land granted to the State of Iowa, by the third subdivision of section six of an act entitled "An act supplemental to the act for the admission of the States of Iowa and Florida into the Union," approved March third, eighteen hundred and forty-five, be, and the same are hereby, released and discharged from the limitation contained in said section; and the general assembly of the State of Iowa may make such disposition of said land as may be deemed best for the interests of said State.

1845, ch. 76, § 6.
Vol. v. p. 790.

APPROVED, July 11, 1862.

CHAP. CXLVII.—*An Act to abolish certain Ports of Delivery in the Mississippi Valley.* July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several laws constituting Hannibal, in the State of Missouri, Hickman and Columbus, in the State of Kentucky, Chattanooga and Knoxville, in the State of Tennessee, and Tuscombua, in the State of Alabama, and Shreveport, in the State of Louisiana, ports of delivery, be, and the same are hereby, repealed.

Certain ports of delivery in the Mississippi Valley abolished.

APPROVED, July 11, 1862.

CHAP. CXLVIII.—*An Act for the Establishment of certain National Arsenals.* July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be, and hereby is, established a national arsenal at Columbus, in the State of Ohio, at Indianapolis, in the State of Indiana, and on Rock Island, in the State of Illinois, for the deposit and repair of arms and other munitions of war.

National arsenals established. Columbus, Indianapolis, Rock Island.

SEC. 2. *And be it further enacted,* That for the purpose of carrying this act into effect, the sum of one hundred thousand dollars for each arsenal named in the preceding section be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated.

Appropriations.

APPROVED, July 11, 1862.

CHAP. CXLIX.—*An Act to change the Place of holding the Circuit and District Courts of the United States for the District of West Tennessee.* July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the circuit and district courts of the United States for the district of West Tennessee shall be holden on the first Mondays in April and October, in the town of Huntingdon, in the county of Carroll, in said district, instead of the town of Jackson, the place heretofore fixed by law. And all process, civil and criminal, which may have been, or hereafter may be, issued, returnable to said courts at Jackson, shall be returned to said courts at Huntingdon; and all books and records of every kind, pertaining to said courts, shall be transferred from said town of Jackson to said town of Huntingdon.

Times and places of holding Federal District Courts in West Tennessee. Process.

Records.

APPROVED, July 11, 1862.

CHAP. CL.—*An Act to authorize the Secretary of the Treasury to appoint a Deputy Collector of the Customs at Chincoteague Island, in the State of Virginia.* July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to appoint, according to law, a deputy collector of customs to reside on Chincoteague [u]e Island, in the State of Virginia, and to exercise such powers, under the revenue laws, as he, the Secretary of the Treasury, may prescribe; the compensation of the said deputy collector to be the legal fees on the business he may transact, and no more.

Deputy collector at Chincoteague Island.

Pay.

APPROVED, July 11, 1862.

CHAP. CLI.—*An Act relating to Schools for the Education of Colored Children in the Cities of Washington and Georgetown, in the District of Columbia.* July 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the duties imposed on the board of trustees of the public schools in the cities of Washington and Georgetown, in the District of Columbia, by virtue of an act entitled

Duties of trustees of public schools under act 1862, ch. 83, (ante, p. 407.)

transferred to special board of trustees.

"An act providing for the education of colored children in the cities of Washington and Georgetown, District of Columbia, and for other purposes," approved May twenty-first, eighteen hundred and sixty-two, be, and the same are hereby, transferred to Daniel Breed, Sayles J. Bowen, and Zenas C. Robbins, and their successors in office, who are hereby created a board of trustees of the schools for colored children in the cities aforesaid, and who shall possess all the powers and perform all the duties conferred upon and required of the trustees of public schools in the said cities of Washington and Georgetown by the aforesaid act.

Powers and duties of new board.

Term of office of trustees.

SEC. 2. *And be it further enacted*, That the before-named trustees shall hold their offices for the respective terms of one, two, and three years, to be determined by lot, and it shall be the duty of the Secretary of the Interior, on the first day of July, eighteen hundred and sixty-three, and annually on that day thereafter, to appoint from among the residents of the said cities a trustee in place of the one whose term has expired or is about to expire. And the Secretary of the Interior is also authorized to fill vacancies in said board of trustees whenever, from any cause, such vacancies may occur.

Vacancies.

APPROVED, July 11, 1862.

July 12, 1862.

1862, ch. 120.
Ante, p. 489.

CHAP. CLIV.—*An Act to amend an Act entitled "An Act to aid in the Construction of a Railroad and Telegraph Line from the Missouri River to the Pacific Ocean, and to secure to the Government the Use of the same for Postal, Military, and other Purposes," approved, July 2, 1862.*

First meeting of commissioners on Pacific railroad and telegraph, to be held in Chicago.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first meeting of the commissioners named in the act entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the government the use of the same for postal, military, and other purposes," approved July second, eighteen hundred and sixty-two, and of the five commissioners directed by said act to be appointed by the Secretary of the Interior, shall be held at Bryan Hall, in the city of Chicago, in the State of Illinois, on the first Tuesday of September next, at twelve o'clock, at noon. A notice of said meeting, to be signed by at least ten of the commissioners named in said act, shall be published at least once a week during the six successive weeks commencing on the twentieth of July, one thousand eight hundred and sixty-two in one daily newspaper in each of the cities of Boston, New York, Philadelphia, Cincinnati, Chicago, and St. Louis, and no other notice of said meeting shall be requisite.

Notice.

APPROVED, July 12, 1862.

July 12, 1862.

1862, ch. 54.
Ante, p. 376.

CHAP. CLV.—*An Act Supplementary to the "Act for the Release of Certain Persons held to Service or Labor in the District of Columbia," approved April sixteen, eighteen hundred and sixty-two.*

Oath, &c., may be made by whom.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the oath or affirmation required by the second section of the act entitled "An act for the release of certain persons held to service or labor in the District of Columbia," to verify the statements or petitions in writing filed before the commissioners, under the act aforesaid, of persons holding claim to service or labor against persons of African descent, freed and discharged therefrom, under the act aforesaid, may in all cases in which the persons holding claims, as aforesaid, are infants or minors, be made by the guardian or by any other person, whether separately or jointly, having the custody, management, or control by law of the person and property of such infants or minors; and that in all cases in which the persons holding claims as aforesaid are non-residents of the District of Columbia, or resident absentees, the oath or

Minors.

Non-residents.

affirmation required as aforesaid may be made by the attorney or agent of said non-resident or resident absentees; and in all cases in which the statements or petitions, required as aforesaid, of persons in the military or naval service of the United States, shall have been or may be hereafter verified before any commander of any military post, or of any officer having a separate command of any military force in the field, or before any captain, commander, or lieutenant commanding in the navy, the same shall be received and deemed valid, to all intents and purposes, as fully as if the verification had been or were made before any officer competent by law to take and administer oaths and affirmations: *Provided*, That the commissioners shall be satisfied that, at the time of the verification aforesaid, the person making the same was employed in the military or naval service of the United States within the jurisdiction of a rebellious State or Territory, and unable to make the oath or affirmation required, as aforesaid, before any officer authorized by law to take or administer the same, holding allegiance to the United States.

Persons in the military or naval service.

Proviso.

SEC. 2. *And be it further enacted*, That if any person having claim to the service or labor of any person or persons in the District of Columbia by reason of African descent, shall neglect or refuse to file with the clerk of the circuit court of the District of Columbia the statement in writing, or schedule provided in the ninth section of the act approved April sixteen, eighteen hundred and sixty-two, to which this is supplementary, then it shall be lawful for the person or persons, whose services are claimed as aforesaid, to file such statement in writing or schedule setting forth the particular facts mentioned in said ninth section; and the said clerk shall receive and record the same as provided in said section, on receiving fifty cents each therefor.

If any person, having claim to the service, &c., of any slave, neglects to file claim, &c., such slave may file claim.

Claim to be received.

SEC. 3. *And be it further enacted*, That whenever the facts set forth in the said statement or schedule shall be found by the commissioners to be true, the said clerk and his successors in office shall prepare, sign, and deliver certificates, as prescribed in the tenth section of the act to which this is supplementary, to such person or persons as shall file their statements in pursuance of the foregoing section, in all respects the same as if such statements were filed by the person having claim to their service or labor.

Clerk to issue certificate, if facts in claim are found to be true.

SEC. 4. *And be it further enacted*, That all persons held to service or labor under the laws of any State, and who at any time since the sixteenth day of April, anno Domini eighteen hundred and sixty-two, by the consent of the person to whom such service or labor is claimed to be owing, have been actually employed within the District of Columbia, or who shall be hereafter thus employed, are hereby declared free, and forever released from such servitude, anything in the laws of the United States or of any State to the contrary notwithstanding.

Slaves in any State employed in District of Columbia after April 16, 1862, to be free.

SEC. 5. *And be it further enacted*, That in all judicial proceedings in the District of Columbia there shall be no exclusion of any witness on account of color.

Color not to exclude witness in the District of Columbia.

APPROVED, July 12, 1862.

CHAP. CLVI.—*An Act relating to Trust Funds of several Indian Tribes invested by the Government in certain State Bonds abstracted from the Custody of the late Secretary of the Interior.*

July 12, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, directed to cause to be entered upon the proper books of his department the following credits to the Indian tribes herein named, to wit: To the Delawares the sum of four hundred and twenty-three thousand nine hundred and ninety dollars and twenty-six cents; to the Iowas the sum of sixty-six thousand seven hundred and thirty-five

Credits to be given to certain Indian tribes for bonds stolen.

Delawares.

Iowas.

Kaskaskias,
Peorias, Pianke-
shaws, and Weas.

dollars, and to the confederate bands of Kaskaskias, Peorias, Piankeshaws, and Weas, the sum of one hundred and sixty-nine thousand six hundred and eighty-six dollars and seventy-five cents; which said amounts are for and in place of the same amounts heretofore invested by the government under treaty stipulations with said tribes in the bonds of the States of Missouri, Tennessee, and North Carolina, which were stolen while in the custody of Jacob Thompson, late Secretary of the Interior, in whose department they had been deposited for safe-keeping.

Sums held in
trust, and inter-
est to be paid
thereon.

SEC. 2. *And be it further enacted*, That said entries shall be and remain evidence that the United States holds the said several sums named in trust for said tribes respectively, and the treasurer of the United States is hereby authorized and directed to pay to said tribes, respectively, on requisitions by the Secretary of the Interior, interest on the sums credited as aforesaid, at the rate of five per centum per annum, in semi-annual payments, on the first days of January and July in each year, the first of said payments to be on the first day of January, eighteen hundred and sixty-three.

Stolen bonds
to belong to the
United States.

SEC. 3. *And be it further enacted*, That all interest which said tribes may have had in said bonds, as aforesaid, is hereby terminated, and the same is vested in the United States; and any recovery, or reclamation of the same, or any part thereof, shall be for the use and benefit of the United States.

Appropriation
for interest on
bonds.

SEC. 4. *And be it further enacted*, That the sum of fifty thousand and sixty-six dollars and sixty-four cents is hereby appropriated, out of any money in the treasury not otherwise appropriated, for the payment of interest to the tribes aforesaid on the sums invested in the bonds aforesaid, from the date of the last payment of interest on said bonds to the first day of July, eighteen hundred and sixty-two, to wit: the sum of thirty-two thousand three hundred and seven dollars and ninety-one cents to said Delawares, five thousand and thirty-two dollars and twenty-three cents to said Iowas, and twelve thousand seven hundred and twenty-six dollars and fifty cents to the said confederate bands of Kaskaskias, Peorias, Piankeshaws, and Weas.

Act when to
take effect, and
as to what tribes.

SEC. 5. *And be it further enacted*, That this act shall take effect and be in force only in relation to such of the tribes aforesaid as shall file with the Secretary of the Interior their assent, in writing, to so much thereof as relates to them respectively.

APPROVED, July 12, 1862.

July 12, 1862.

CHAP. CLVII.—*An Act to provide for the quieting of certain Land Titles in the late disputed Territory in the State of Maine, and for other Purposes.*

Payments to
be made for lost
titles to land in
Maine to

Laura A. Stebbins,
Catherine C. Ward,
Rufus Mansur,
James A. Drew.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay, out of any money in the treasury not otherwise appropriated, to Laura A. Stebbins, of Bangor, in the State of Maine; Catherine C. Ward, of Roxbury, in the State of Massachusetts; Rufus Mansur, of Houlton, in the State of Maine; and James A. Drew, of Chelsea, in the State of Massachusetts, the sum of thirty-three hundred and fifty-three dollars each, being in all the sum of thirteen thousand four hundred and twenty-two dollars, in full compensation for three thousand three hundred and fifty-three acres of land, including the timber previously taken therefrom, in the half township in the State of Maine, granted by the State of Massachusetts to the late General Eaton, and called the "Eaton Grant," to which said parties lost title by the operation of the fourth article of the treaty of ninth August, eighteen hundred and forty-two, "to settle and define the boundary between the United States and the possessions of her Britannic Majesty in North America:" *Provided*, That the said Laura A. Stebbins, Catherine C. Ward, Rufus Mansur, and James A. Drew shall

execute deeds of release to the parties holding "possessory" or "equitable possessory claims" to the said three thousand three hundred and fifty-three acres of land, or any portion thereof, as described in the reports made to the governor and council of Maine by Ebenezer Hutchinson and others, commissioners under a resolution passed by the legislature of said State on the twelfth day of April, eighteen hundred and fifty-four, and the plan of surveys accompanying said reports, and of record in the land office of said State: *And provided, also*, That it shall appear to the satisfaction of the land agent of said State of Maine that such deeds of release do effectually convey a good title to said lands, except so far as said titles have been affected by the operation of the treaty aforesaid: *and to convey good title.*
And provided further, That if it shall appear to the said land agent that the aforesaid parties are incompetent to make such deeds of release to the whole of said lands, then they shall be entitled to receive a pro rata only of the compensation provided in this act for so much thereof as they shall convey as aforesaid. *If parties can convey only part, they are to receive only part.*

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay, out of any unappropriated money in the treasury, to Edmund Monroe and Benjamin Sewall, of Boston, in the State of Massachusetts, the sum of thirteen thousand five hundred and forty dollars, in the proportion of three-fourths thereof to the former and one-fourth to the latter, in full compensation for three thousand three hundred and eighty-five acres of land, including the timber previously taken therefrom, in the western half of "Plymouth township," so called, in the State of Maine, and the sum of six thousand seven hundred and sixty-eight dollars to Rufus Mansur, of Houlton, Maine, and James A. Drew, of Chelsea, Massachusetts, in full compensation for sixteen hundred and ninety-two acres of land, including the timber previously taken therefrom, in the eastern half of said township, to which the said parties severally lost title by the operation of the fourth article of the aforesaid treaty: *Provided*, That the regulations, restrictions, and provisions contained in the provisos to the first section of this act shall be made, to all intents and purposes, applicable to this section. *Payments to Edmund Monroe, Benjamin Sewall, Rufus Mansur, James A. Drew. Proviso.*

SEC. 3. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the treasury not otherwise appropriated, to Laura A. Stebbins, of Bangor, Maine, and Catherine C. Ward, of Dorchester, Massachusetts, the sum of six thousand six hundred and forty-seven [dollars]; and to Edmund Monroe and Benjamin Sewall, of the city of Boston, in Massachusetts, the sum of seven thousand six hundred and thirty-five dollars, in the proportion of three-fourths of the same to said Monroe, and one-fourth to said Sewall; and to James A. Drew, of Chelsea, Massachusetts, and Rufus Mansur, of Houlton, Maine, the sum of nine thousand three hundred and twenty-eight dollars; the said several sums being in full compensation, at the rate of one dollar per acre, for timber taken from lands owned by said parties, respectively, and located in the Eaton Grant and Plymouth township, (so-called,) in the State of Maine, and within the district recognized as the "disputed territory," and which timber was taken off and lost to the proprietors in consequence of the diplomatic arrangement entered into between the United States and Great Britain in eighteen hundred and thirty-two, by which both parties agreed to abstain from the exercise of jurisdiction in said territory: *Provided*, That the payments authorized and required by this act may be made, in whole or in part, at the option of the Secretary of the Treasury, in any of the bonds of the United States, bearing interest at the rate of six per centum per annum, which have been, or may hereafter be, authorized by law to be issued. *Payment to Laura A. Stebbins, Catherine C. Ward, Edmund Monroe, Benjamin Sewall, James A. Drew, Rufus Mansur. Proviso.*

APPROVED, July 12, 1862.

July 12, 1862. CHAP. CLVIII.—*An Act to provide for the Payment of Fines and Penalties collected by or paid the Justices of the Peace in the District of Columbia under the Acts of Congress approved the third and fifth of August, eighteen hundred and sixty-one, and for other Purposes.*

Justices of the Peace to report fines imposed, &c., under the liquor law in the District of Columbia.

1861, ch. 39, 44. *Ante*, pp. 286, 291.

Post, p. 626.

To pay over moneys.

Penalty on justices for neglect.

Dockets to be inspected.

Penalty.

Justices to report annually and pay over moneys.

Penalty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several justices of the peace of the District of Columbia who have imposed fines under the acts of Congress approved the third and fifth days of August, eighteen hundred and sixty-one, shall, on or before the fifteenth day of July, eighteen hundred and sixty-two, make a full and faithful report of their doings in that behalf, stating the name of the party, the amount of fine imposed, and the name of the witnesses examined in each case, to the superintendent of metropolitan police, and shall pay over all moneys in their hands arising from such fines to the said superintendent; and such of said justices as shall fail by the time specified to make such report, and comply with the other provisions of this law, shall be liable to a fine of not less than three hundred nor more than five hundred dollars, to be collected from said justices by prosecution in the criminal court in the said District of Columbia; and it shall be the duty of the superintendent of metropolitan police to inspect the dockets kept by the said justices of the peace, for the purpose of ascertaining the amount so collected as aforesaid by them; and the said justices shall submit their dockets to the inspection of the said superintendent; and failing to do so, shall pay a fine of not less than fifty nor more than one hundred dollars, to be collected as above.

SEC. 2. *And be it further enacted*, That said justices of the peace shall, on or before the fifteenth day of July in each and every year, make a full and faithful report of their doings as aforesaid, for the preceding year, to the superintendent of metropolitan police, and shall pay over all moneys in their hands arising from such fines to the said superintendent; and if any justice of the peace of the District of Columbia shall fail to comply with the provisions of this law, he shall be liable to a fine of not less than three hundred nor more than five hundred dollars, to be collected as provided in the first section of this act.

APPROVED, July 12, 1862.

July 12, 1862. CHAP. CLIX.—*An Act for the Relief of the Register of the Land Office at Vincennes, Indiana, and for other Purposes.*

Register of land office at Vincennes to be allowed for office rent.

Payment to John Moore for custody of papers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to make such allowance for office rent during the temporary continuance of the land office at Vincennes, Indiana, as may, in his opinion, be just and proper.

SEC. 2. *And be it further enacted*, That the said Secretary be authorized to adjust the account of John Moore, postmaster at Vincennes, Indiana, and allow him, at the usual rates for such services, compensation for the custody of the books, papers, and so forth, of the land office at Vincennes, Indiana, during the time the same were in his charge, under instructions from the Commissioner of the General Land Office, dated September third, eighteen hundred and fifty-eight; these allowances to be paid out of the appropriation for incidental expenses of district land offices: *Provided*, That the total sum paid under this act shall not exceed five hundred dollars.

APPROVED, July 12, 1862.

July 12, 1862. CHAP. CLX.—*An Act for Relief in the Land Claim in California, known as the Claim of Francisco Soberanes to a Tract of Land known as "Sanjon de Santa Rita."*

Whereas, in the district court of the United States for the southern district of California, in the case of Francisco Soberanes *vs.* The United

States, for the rancho lying in the State of California known by the name of Saujon de Santa Rita, a decree filed on the ninth day of February, eighteen hundred and fifty-eight, was entered, confirming to the said Soberanes the said tract of land known by the name of Saujon de Santa Rita; and whereas, on the presentation of the mandate of the Supreme Court of the United States, dismissing the appeal to the said Supreme Court of the United States in said cause, the said decree was made final by a decree of said district court, rendered on the first day of November, eighteen hundred and sixty; and whereas the land confirmed as aforesaid lies in the northern district of California, as ascertained by a final survey of the same: Therefore —

Decrees of district court of United States in California as to land claim of "Saujon de Santa Rita," confirmed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the said decrees of the district court of the United States for the southern district of California shall be, and they are hereby declared to be, as valid and effectual as if the same had been rendered by the district court of the United States for the northern district of California.

APPROVED, July 12, 1862.

CHAP. CLXI.—*An Act confirming a Land Claim in the State of Iowa, and for other Purposes.*

July 12, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant of lands to the then Territory of Iowa for the improvement of the Des Moines River, made by the act of August eight, eighteen hundred and forty-six, is hereby extended so as to include the alternate sections (designated by odd numbers) lying within five miles of said river, between the Raccoon fork and the northern boundary of said State; such lands are to be held and applied in accordance with the provisions of the original grant, except that the consent of Congress is hereby given to the application of a portion thereof to aid in the construction of the Keokuk, Fort Des Moines, and Minnesota railroad, in accordance with the provisions of the act of the general assembly of the State of Iowa, approved March twenty-two, eighteen hundred and fifty-eight. And if any of said lands shall have been sold or otherwise disposed of by the United States before the passage of this act, excepting those released by the United States to the grantees of the State of Iowa under the joint resolution of March second, eighteen hundred and sixty-two, the Secretary of the Interior is hereby directed to set apart an equal amount of lands within said State to be certified in lieu thereof: *Provided,* That if the said State shall have sold and conveyed any portion of the lands lying within the limits of this grant the title of which has proved invalid, any lands which shall be certified to said State in lieu thereof by virtue of the provisions of this act shall inure to, and be held as a trust fund for the benefit of, the person or persons respectively whose titles shall have failed as aforesaid.

Former grant of lands to Iowa extended. 1846, ch. 103. Vol. ix. p. 77.

Lands how to be held.

If any lands have been disposed of, equivalent lands to be given.

Proviso.

APPROVED, July 12, 1862.

CHAP. CLXIII.—*An Act increasing, temporarily, the Duties on Imports, and for other Purposes.*

July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of August, anno Domini eighteen hundred and sixty-two, in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned there shall be levied, collected, and paid, on the goods, wares, and merchandise, herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say:

Duties and rates in lieu of former rates.

Ante, p. 292.

On sirup of sugar, or of sugar cane, or concentrated molasses, or concentrated melado, two cents per pound;

Sirup of sugar, &c.

Sugar.

On all sugar not above number twelve, Dutch standard in color, two and one half-cents per pound ;

On all sugar above number twelve, and not above number fifteen, Dutch standard in color, three cents per pound ;

On all sugar above number fifteen, not stove-dried, and not above number twenty Dutch standard in color, three and one-half cents per pound.

Refined sugar.

On all refined sugar in form of loaf, lump, crushed, powdered, pulverized, or granulated, and all stove-dried or other sugar above number twenty Dutch standard in color, four cents per pound : *Provided*, That the standards by which the color and grades of sugars are to be regulated shall be selected and furnished to the collectors of such ports of entry as may be necessary, by the Secretary of the Treasury, from time to time and in such manner as he may deem expedient ;

Sugar candy.

On sugar candy, not colored, six cents per pound ; on all other confectionery, made wholly or in part of sugar, and on sugars, after being refined, when tintured, colored, or in any way adulterated, ten cents per pound ;

Molasses.

On molasses, six cents per gallon : *Provided*, That all sirups of sugar or sugar cane, concentrated molasses or concentrated melado, entered under the name of molasses or any other name than sirup of sugar, or of sugar cane, concentrated molasses, or concentrated melado, shall be liable to forfeiture to the United States, and the same shall be forfeited ;

Cigars.

On cigars of all kinds, valued at five dollars or less per thousand, thirty-five cents per pound ; valued at over five dollars and not over ten dollars per thousand, sixty cents per pound ; valued at over ten and not over twenty dollars per thousand, eighty cents per pound ; valued at over twenty dollars per thousand, one dollar per pound ; and in addition thereto on all cigars valued at over ten dollars per thousand, ten per centum ad valorem : *Provided*, That paper cigars, or cigarettes, including wrappers, shall be subject to the same duties imposed on cigars ;

Snuff.

On snuff, thirty-five cents per pound ;

Tobacco.

On tobacco, in leaf, unmanufactured and not stemmed, twenty-five cents per pound ;

On stemmed, and tobacco manufactured of all descriptions, not otherwise provided for, thirty-five cents per pound.

Duties in addition to former duties.

SEC. 2. *And be it further enacted*, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law, on the articles hereinafter mentioned, and included in this section, there shall be levied, collected, and paid on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say :

Brandy.

On brandy, for first proof, twenty-five cents per gallon ;

Other spirits.

On other spirits, manufactured or distilled from grain or other materials, for first proof, fifty cents per gallon ;

Cordials.

On cordials, and liqueurs of all kinds, and arrack, absynthe, kirschenwasser, ratafia, and other similar spirituous beverages not otherwise provided for, twenty-five cents per gallon ;

Bay rum.

On bay rum, twenty-five cents per gallon ;

Ale, porter, and beer.

On ale, porter, and beer, in bottles, or otherwise, five cents per gallon ;

Spirituous liquors not otherwise enumerated.

On all spirituous liquors not otherwise enumerated, sixteen and two-thirds per centum ad valorem : *Provided*, That no lower rate or amount of duty shall be levied, collected, and paid, on brandy, spirits, and all other spirituous beverages, than that fixed by law for the description of first proof, but shall be increased in proportion for any greater strength than the strength of first proof : *And provided, further*, That bottles containing wines subject to ad valorem duties shall be liable to and pay the same rate of duty as that fixed upon the wines therein contained.

Bottles to pay same duty as wine.

Additional

SEC. 3. *And be it further enacted*, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on

the articles hereinafter mentioned and included in this section, there shall be levied, collected, and paid, on the goods, wares, and merchandise, herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say :

On bar iron, rolled or hammered, comprising flats not less than one inch or more than seven inches wide, nor less than one-quarter of an inch nor more than two inches thick ; rounds not less than one-half an inch nor more than four inches in diameter ; and squares not less than one-half an inch nor more than four inches square, not exceeding in value the sum of fifty dollars per ton, two dollars per ton ; exceeding in value the sum of fifty dollars per ton, three dollars per ton ;

Bar iron.

On bar iron, rolled or hammered, comprising flats less than one-quarter of an inch thick or more than seven inches wide ; rounds less than one-half an inch or more than four inches in diameter, and squares less than one-half an inch or more than four inches square, five dollars per ton ;

On all iron imported in bars for railroads and inclined planes made to patterns and fitted to be laid down on such roads or planes without further manufacture, one dollar and fifty cents per ton ;

On boiler or other plate iron, five dollars per ton ;

Boiler iron, &c.
Iron wire.

On iron wire, drawn and finished, not more than one-fourth of an inch in diameter nor less than number sixteen, wire gauge, one dollar per one hundred pounds ; over number sixteen and not over number twenty-five, wire gauge, one dollar and fifty cents per one hundred pounds ; over or finer than number twenty-five, wire gauge, two dollars per one hundred pounds ; *Provided*, That wire covered with cotton, silk, or other material, shall pay five cents per pound in addition to the foregoing rates ;

On hollow-ware, glazed or tinned, one-half cent per pound ;

Hollow ware.
Sadirons, &c.

On sadirons, tailor's and hatter's irons, stoves and stove plates, one-fourth of one cent per pound ;

On band and hoop iron and slit rods, and all other descriptions of rolled or hammered iron, not otherwise provided for, five dollars per ton ;

Band and hoop iron.

On cut nails and spikes, one-fourth of one cent per pound ;

Cut nails, &c.
Iron cables.

On iron cables or cable chains, or parts thereof, seventy-five cents per one hundred pounds : *Provided*, That no chains made of wire or rods of a diameter less than one-half of one inch shall be considered a chain cable ;

On anvils, one dollar per one hundred pounds ;

Anvils.

On anchors, or parts thereof, fifty cents per one hundred pounds ;

Anchors.

On wrought board nails, spikes, rivets, bolts, bed-screws, and wrought hinges, one-fourth of one cent per pound ;

Wrought nails, &c.

On chains, trace chains, halter chains, and fence chains, made of wire or rods, not under one-fourth of one inch in diameter, one-fourth of one cent per pound ; under one-fourth of one inch in diameter and not under number nine, wire gauge, one-half of one cent per pound ; under number nine, wire gauge, five per centum ad valorem ;

Chains, &c.

On blacksmiths' hammers, and sledges, and axles, or parts thereof, one-half of one cent per pound ;

Hammers, sledges, axles, &c.

On horseshoe nails, one cent per pound ;

Horseshoe nails.

On steam, gas, and water tubes, and flues of wrought iron, one-fourth of one cent per pound ;

Steam, &c., tubes.

On wrought iron railroad chairs, and wrought iron nuts and washers, ready punched, five dollars per ton ;

Wrought iron railroad chairs.

On smooth or polished sheet iron, by whatever name designated, one-half cent per pound ;

Sheet iron.

On sheet iron, common or black, not thinner than number twenty, wire gauge, three dollars per ton ; thinner than number twenty, and not thinner than number twenty-five, wire gauge, four dollars per ton ; thinner than number twenty-five, wire gauge, five dollars per ton ;

Galvanized plates and iron.	On tin plates galvanized, galvanized iron, or iron coated with any metal by electric batteries, one-half cent per pound;
Locomotive tire.	On locomotive tire, or parts thereof, one cent per pound;
Mill-irons, ocomotives, &c.	On mill-irons, and mill-cranks of wrought iron, and wrought iron for ships, steam-engines, and locomotives, or parts thereof, weighing each twenty-five pounds or more, one-fourth of one cent per pound;
Wood-screws.	On screws, commonly called wood-screws, one cent and a half per pound;
Iron screws.	On screws, washed or plated, and all other screws of iron, except wood-screws, five per centum ad valorem;
Manufactures of iron.	On all manufactures of iron, not otherwise provided for, five per centum ad valorem;
Cast iron pipes and other castings of iron.	On cast iron, steam, gas, and water pipes, twenty-five cents per one hundred pounds; on all other castings of iron, not otherwise provided for, nor exempted from duty, five per centum ad valorem: <i>Provided</i> , That the following descriptions of iron, manufactures of iron, and manufactures of steel, shall not be subject to any additional duty or rates of duty under the provisions of this act, that is to say: iron in pigs; cast iron butts and hinges; old scrap iron; malleable iron, and malleable iron castings, not otherwise provided for; cut-tacks, brads, and sprigs; cross-cut, mill, pit, and drag saws;
Certain iron exempt from additional duty.	
Steel.	On steel in ingots, bars, sheets, or wire, not less than one-fourth of an inch in diameter, valued at seven cents per pound or less, one-fourth of one cent per pound; valued at above seven cents per pound and not above eleven cents per pound, one-half cent per pound; valued above eleven cents per pound, and on steel-wire and steel in any form, not otherwise provided for, five per centum ad valorem;
Skates.	On skates valued at twenty cents or less per pair, two cents per pair; when valued at over twenty cents per pair, five per centum ad valorem;
Iron squares.	On iron squares, marked on one side, two cents and a half per pound; on all other squares made of iron or steel, five cents per pound;
Files, &c.	On files, rasps, and floats, of all descriptions, two cents per pound, and in addition thereto, five per centum ad valorem;
Manufactures of steel.	On all manufactures of steel, or of which steel shall be a component part, not otherwise provided for, five per centum ad valorem: <i>Provided</i> , That no allowance or reduction of duties for partial loss or damage shall be hereafter made in consequence of rust of iron or steel, or upon the manufactures of iron or steel, except on polished Russia sheet iron;
No allowance for rust, &c.	
Bituminous coal.	On bituminous coal, ten cents per ton of twenty-eight bushels, eighty pounds to the bushel; on all other coal, ten cents per ton of twenty-eight bushels, eighty pounds to the bushel;
Coke, &c.	On coke and culm of coal, five per centum ad valorem.
Additional duties on	SEC. 4. <i>And be it further enacted</i> , That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned and included in this section, there shall be levied, collected, and paid on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say:
Copper rods, &c.	On copper rods, bolts, nails, spikes, copper bottoms, copper in sheets or plates, called braziers' copper, and other sheets and manufactures of copper, not otherwise provided for, five per centum ad valorem;
Zinc, spelter, &c.	On zinc, spelter, and teutenegue, unmanufactured, in blocks or pigs, twenty-five cents per one hundred pounds;
	On zinc, spelter, and teutenegue, in sheets, one-half of one cent per pound;
Lead.	On lead, in pipes and shot, three-fourths of one cent per pound;
Brass.	On brass, in bars or pigs, and old brass, fit only to be remanufactured, five per centum ad valorem.
Duties in lieu of former	SEC. 5. <i>And be it further enacted</i> , That from and after the day and year aforesaid, in lieu of the duties heretofore imposed by law on the

articles hereinafter mentioned, and on such as may now be exempt from duties on duty, there shall be levied, collected, and paid on the goods, wares, and merchandise enumerated and provided for in this section, imported from foreign countries, the following duties and rates of duty, that is to say :

Acid, boracic, five cents per pound ; citric, ten cents per pound ; oxalic, four cents per pound ; sulphuric, one cent per pound ; tartaric, twenty cents per pound ; gallic, fifty cents per pound ; tannic, twenty-five cents per pound ;	Acids.
Alum, patent alum, alum substitute, sulphate of alumina, and aluminous cake, sixty cents per one hundred pounds ;	Alum.
Argols, or crude tartar, six cents per pound ; cream tartar, ten cents per pound ;	Argols.
Asphaltum, three cents per pound ;	Asphaltum.
Balsam copaiva, twenty cents per pound ; Peruvian, fifty cents per pound ; tolu, thirty cents per pound ;	Balsams.
Blanc fixe, enamelled white, satin white, or any combination of barytes and acid, two cents and a half per pound ;	Blanc fixe.
Barytes and sulphate of barytes, five mills per pound ;	Barytes.
Burning fluid, fifty cents per gallon ;	Burning fluid.
Bitter apples, colocynth, or coloquintida, ten cents per pound ;	Bitter apples.
Borax, crude, or tincal, five cents per pound ; refined, ten cents per pound ;	Borax.
Borate of lime, five cents per pound ;	Borate of lime.
Buchu leaves, ten cents per pound ;	Buchu leaves.
Camphor, crude, thirty cents per pound ; refined, forty cents per pound ;	Camphor.
Cantharides, fifty cents per pound ;	Cantharides.
Cloves, fifteen cents per pound ; cassia, fifteen cents per pound ; cassia buds, twenty cents per pound ; cinnamon, twenty-five cents per pound ;	Cloves.
Cayenne pepper, twelve cents per pound ; ground, fifteen cents per pound ; black pepper, twelve cents per pound ; ground, fifteen cents per pound ; white pepper, twelve cents per pound ; ground, fifteen cents per pound ;	Pepper.
Cocculus Indicus, ten cents per pound ;	Cocculus Indicus.
Cuttle-fish bone, five cents per pound ;	Cuttle-fish bone.
Cubebs, ten cents per pound ;	Cubebs.
Dragon's blood, ten cents per pound ;	Dragon's blood.
Emery, ore or rock, six dollars per ton ; manufactured, ground, or pulverized, one cent per pound ;	Emery.
Ergot, twenty cents per pound ;	Ergot.
Epsom salts, one cent per pound ; glauber salts, five mills per pound ;	Epsom, &c., salts.
Rochelle salts, fifteen cents per pound ;	
Fruit ethers, essences or oils of apple, pear, peach, apricot, strawberry, and raspberry, made of fusil oil or of fruit, or imitations thereof, two dollars and fifty cents per pound ;	Fruit ethers, &c.
French green, Paris green, mineral green, carmine lake, wood lake, dry carmine, Venetian red, vermilion, mineral blue, Prussian blue, chrome yellow, rose pink, extract of resin or aniline colors, Dutch pink, and paints and painters' colors, (except white and red lead and oxide of zinc,) dry or ground in oil, and moist water colors, used in the manufacture of paper-hangings and colored papers and cards, not otherwise provided for, twenty-five per centum ad valorem ;	French, &c., green.
	Except white, &c., lead, &c.
Ginger root, five cents per pound ; ginger ground, eight cents per pound ;	Ginger.
On gold leaf, one dollar and fifty cents per package of five hundred leaves ; on silver leaf, seventy-five cents per package of five hundred leaves ;	Gold and silver leaf.
Gum aloes, six cents per pound ; benzoin, ten cents per pound ; sandarac, ten cents per pound ; shellac, ten cents per pound ; mastic, fifty cents per pound ; copal, kowrie, damar, and all gums used for like purposes, ten cents per pound ;	Gum aloes, &c.

Honey.	Honey, fifteen cents per gallon ;
Iodine.	Iodine, crude, fifty cents per pound ; resublimed, seventy-five cents per pound ;
Ipecac.	Ipecacuanha, or ipecac, fifty cents per pound ;
Jalap.	Jalap, fifty cents per pound ;
Licorice.	Licorice root, one cent per pound ; paste or juice, five cents per pound ;
Litharge.	Litharge, two and one-fourth cents per pound ;
Magnesia.	Magnesia, carbonate, six cents per pound ; calcined, twelve cents per pound ;
Manna.	Manna, twenty-five cents per pound ;
Nitrate of soda.	Nitrate of soda, one cent per pound ;
Morphine.	Morphine and its salts, two dollars per ounce ; mace and nutmeg, thirty cents per pound ;
Ochres, &c.	Ochres and ochrey earths, not otherwise provided for, when dry, fifty cents per one hundred pounds ; when ground in oil, one dollar and fifty cents per one hundred pounds ;
Oils, fixed or expressed.	Oils, fixed or expressed, croton, fifty cents per pound ; almonds, ten cents per pound ; bay or laurel, twenty cents per pound ; castor, fifty cents per gallon ; mace, fifty cents per pound ; olive, not salad, twenty-five cents per gallon ; salad, fifty cents per gallon ; mustard, not salad, twenty-five cents per gallon ; salad, fifty cents per gallon ;
Oils, essential or essence.	Oils, essential or essence, anise, fifty cents per pound ; almonds, one dollar and fifty cents per pound ; amber, crude, ten cents per pound ; rectified, twenty cents per pound ; bay leaves, seventeen dollars and fifty cents per pound ; bergamot, one dollar per pound ; cajeput, twenty-five cents per pound ; caraway, fifty cents per pound ; cassia, one dollar per pound ; cinnamon, two dollars per pound ; cloves, one dollar per pound ; citronella, fifty cents per pound ; cognac or œnanthic ether, two dollars per ounce ; cubebs, one dollar per pound ; fennel, fifty cents per pound ; juniper, twenty-five cents per pound ; lemons, fifty cents per pound ; orange, fifty cents per pound ; origanum, or red thyme, twenty-five cents per pound ; roses, or otto, one dollar and fifty cents per ounce ; thyme, white, thirty cents per pound ; valerian, one dollar and fifty cents per pound ; all other essential oils, not otherwise provided for, fifty per centum ad valorem ;
Opium.	Opium, two dollars per pound ; Opium, prepared for smoking, eighty per centum ad valorem ;
Paraffine.	Paraffine, ten cents per pound ;
Paris white.	Paris white, when dry, sixty cents per one hundred pounds ; when ground in oil, one dollar and fifty cents per one hundred pounds ;
Pimento.	Pimento, twelve cents per pound ; when ground, fifteen cents per pound ;
Potash.	Potash, bichromate, three cents per pound ; hydriodate, iodate, iodide, and acetate, seventy-five cents per pound ; prussiate, yellow, five cents per pound ; prussiate, red, ten cents per pound ; chlorate, six cents per pound ;
Petroleum, &c. <i>Post, p. 742.</i>	Petroleum and coal illuminating oil, crude, ten cents per gallon ; refined, or kerosene, produced from the distillation of coal, asphaltum, shale, peat, petroleum, or rock oil, or other bituminous substances, used for like purposes, twenty cents per gallon ;
Putty.	Putty, one dollar and fifty cents per one hundred pounds ;
Quinine.	Quinine, sulphate of, and other salts of quinine, forty-five per centum ad valorem ;
Rhubarb.	Rhubarb, fifty cents per pound ;
Rose leaves.	Rose leaves, fifty cents per pound ;
Rum essence or oil.	Rum essence or oil, and bay rum essence or oil, two dollars per ounce ;
Saltpetre. <i>Post, p. 742.</i>	Saltpetre, or nitrate of potash, crude, two cents per pound ; refined, three cents per pound ;
Seeds.	Seeds, anise, five cents per pound ; star anise, ten cents per pound ;

canary, one dollar per bushel of sixty pounds; caraway, three cents per pound; cardamom, fifty cents per pound; cummin, five cents per pound; coriander, three cents per pound; fennel, two cents per pound; fe[n]u-greek, two cents per pound; hemp, one-half cent per pound; mustard, brown, three cents per pound; white, three cents per pound; rape, one cent per pound; castor seeds or beans, thirty cents per bushel;

Sugar of lead, four cents per pound;

Tartar emetic, fifteen cents per pound;

Varnish, valued at one dollar and fifty cents or less per gallon, fifty cents per gallon, and twenty per centum ad valorem; valued at above one dollar and fifty cents per gallon, fifty cents per gallon, and twenty-five per centum ad valorem;

Vanilla beans, three dollars per pound;

Verdigris, six cents per pound;

Whiting, when dry, fifty cents per one hundred pounds; when ground in oil, one dollar and fifty cents per one hundred pounds;

Acetous, benzoic, muriatic, and pyroligneous acids, cutch or catechu, orchil and cudbear, safflower and sumac, ten per centum ad valorem;

Arsenic in all forms, ammonia, and sulphate and carbonate of ammonia; bark, cinchona, Peruvian, Lima, Calisaya, quilla, and all other medicinal barks, flowers, leaves, plants, roots, and seeds, not otherwise provided for; cobalt, and oxide of cobalt; gums, amber, Arabic, jedda, senegal, tragacanth, myrrh, and all other gums and gum resins not otherwise provided for; quassia wood; smalts; sarsaparilla; tapioca; tonqua beans and sponges, twenty per centum ad valorem; acetic acid, twenty-five per centum ad valorem;

Santonine and glycerine, thirty per centum ad valorem;

On all pills, powders, tinctures, troches or lozenges, sirups, cordials, biters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences, spirits, oils, or other medicinal preparations or compositions, recommended to the public as proprietary medicines, or prepared according to some private formula or secret art as remedies or specifics for any disease or diseases or affections whatever affecting the human or animal body, fifty per centum ad valorem;

On all essences, extracts, toilet waters, cosmetics, hair oils, pomades, hair dressings, hair restoratives, hair dyes, tooth washes, dentrifices, tooth pastes, aromatic cachous, or other perfumeries or cosmetics, by whatsoever name or names known, used or applied as perfumes or applications to the hair, mouth, or skin, fifty per centum ad valorem.

SEC. 6. *And be it further enacted*, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied, collected, and paid, on the goods, wares, and merchandise enumerated and provided for in this section, imported from foreign countries, a duty of ten per centum ad valorem, that is to say:

Antimony, crude;

Assafœtida;

Beeswax;

Blacking of all descriptions;

Building stone of all descriptions, not otherwise provided for;

Calomel;

Catsup;

Civet, oil of;

Cobalt ores;

Extract of indigo; extract of madder; extract and decoctions of log-wood, and other dyewoods;

Flints, and flint, ground;

Flocks, waste or shoddy;

Furs, dressed, when not on the skin;

Sugar of lead.

Tartar emetic.

Varnish.

Vanilla beans.

Verdigris.

Whiting.

Acetous, &c. acids, &c.

Arsenic, &c.

Medicinal barks, gums, &c. not otherwise provided for.

Acetic acid.

Santonine, &c.

Pills, &c.

Medicinal preparations.

Essences, cosmetics, perfumes.

Additional duties, &c. on.

Antimony.

Assafœtida.

Beeswax.

Blacking.

Building stone.

Calomel.

Catsup.

Civet.

Cobalt ores.

Extracts.

Flints.

Flocks.

Furs.

Garancine.	Garancine ;
Ginger.	Ginger, preserved, or pickled ;
Green turtle.	Green turtle ;
Grindstones.	Grindstones, unwrought, or wrought or finished ;
Gutta-percha.	Gutta-percha, unmanufactured ;
Isinglass.	Isinglass or fish glue ;
Japanned ware.	Japanned ware of all kinds, not otherwise provided for ;
Lastings.	Lastings, mohair cloth, silk, twist, or other manufacture of cloth woven or made in patterns of such size, shape and form, or cut in such manner as to be fit for shoes, slippers, boots, bootees, gaiters, and buttons, exclusively, not combined with India-rubber ;
Mats.	Mats of cocoa-nut ;
Matting.	Matting, china, and other floor matting, and mats made of flags, jute, or grass ;
Manufactures of gutta-percha.	Manufactures of gutta-percha ;
Milk of India-rubber.	Milk of India-rubber ; medicinal preparations not otherwise provided for ;
Music.	Music, printed with lines, bound or unbound ;
Musical instruments.	Musical instruments of all kinds, and strings for musical instruments of whippug or catgut, and all other strings of the same material ;
Nickel.	Nickel ;
Osier.	Osier or willow, prepared for basket makers' use ;
Philosophical instruments.	Philosophical apparatus and instruments ;
Plaster of Paris.	Plaster of Paris, when ground ;
Quills.	Quills ;
Strychnine.	Strychnine ;
Staves.	Staves for pipes, hogsheads, or other casks ;
Teeth.	Teeth, manufactured ;
Thread lace.	Thread lace and insertings ;
Woollen list-ings.	Woollen listings.
Additional duties on	SEC. 7. <i>And be it further enacted,</i> That, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned and provided for in this section, there shall be levied, collected, and paid, on the goods, wares, and merchandise herein enumerated, imported from foreign countries, the following duties and rates of duty, that is to say : On chocolate and cocoa prepared, one cent per pound ; On copperas, green vitriol, or sulphate of iron, one-fourth cent per pound ; On linseed, flax-seed, hemp-seed, and rape-seed oil, three cents per gallon ; On saleratus and bicarbonate of soda, one-half cent per pound ; On caustic soda, one-half cent per pound ; On salt, in sacks, barrels, other packages, or in bulk, six cents per one hundred pounds ; On soap, fancy, scented, honey, cream, transparent, and all descriptions of toilet and shaving soap, two cents per pound ; all other soap, five per centum ad valorem. On spirits of turpentine, five cents per gallon ; On starch of all descriptions, one-half cent per pound ; On white and red lead, dry or ground in oil, fifteen cents per one hundred pounds ; On oxide of zinc, dry or ground in oil, twenty-five cents per one hundred pounds ;
Chocolate, &c.	
Copperas.	
Linseed, &c.	
Saleratus, &c.	
Caustic soda.	
Salt.	
Soap.	
Spirits of turpentine.	
Starch.	
White and red lead.	
Oxide of zinc.	
Duties in lieu of former duties on	SEC. 8. <i>And be it further enacted,</i> That from and after the day and year aforesaid, in lieu of the duties heretofore imposed by law on the articles hereinafter mention[ed], and on such as may now be exempt from duty, there shall be levied, collected, and paid on the goods, wares, and merchandise enumerated and provided for in this section, imported from foreign countries, the following duties and rates of duty, that is to say :

On anchovies, preserved in salt, thirty per centum ad valorem ;	Anchovies.
On andirons, made of cast iron, one cent and one-fourth per pound ;	Andirons.
On barley, pearl or hulled, one cent per pound ;	Barley.
On bonnets, hats, and hoods, for men, women, and children, composed of straw, chip, grass, palm-leaf, willow, or any other vegetable substance, or of silk, hair, whalebone, or other material, not otherwise provided for, forty per centum ad valorem ;	Bonnets, &c.
On braids, plaits, flats, laces, trimmings, sparterre, tissues, willow sheets and squares, used for making or ornamenting hats, bonnets, and hoods, composed of straw, chip, grass, palm-leaf, willow, or any other vegetable substance, or of hair, whalebone, or other material, not otherwise provided for, thirty per centum ad valorem ;	Braids, &c.
On books, periodicals, pamphlets, blank-books, bound or unbound, and all printed matter, engravings, bound or unbound, illustrated books and papers, and maps and charts, twenty per centum ad valorem ; <i>Provided</i> , That all imported cotton and linen rags for the manufacture of paper shall be free of duty ;	Books, &c. Cotton and linen rags for paper to be free.
On bristles, ten cents per pound ;	Bristles.
On candles and tapers, stearine and adamantine, five cents per pound ; on spermaceti, paraffine, and wax candles and tapers, pure or mixed, eight cents per pound ; on all other candles and tapers, two and one-half cents per pound ;	Candles, &c.
On chicory root, two cents per pound ; on chicory ground, burnt, or prepared, three cents per pound ;	Chicory.
On acorn coffee and dandelion root, raw or prepared, and all other articles used or intended to be used as coffee, or a substitute for coffee, and not otherwise provided for, three cents per pound ;	Acorn coffee, &c.
On coloring for brandy, fifty per centum ad valorem ;	Brandy color ing.
On cork wood, unmanufactured, thirty per centum ad valorem ; on corks, fifty per centum ad valorem ;	Cork wood.
On cotton, one-half cent per pound ;	Cotton.
On feathers and downs for beds or bedding, of all descriptions, thirty per centum ad valorem ;	Feathers, &c.
On ostrich, vulture, cock, and other ornamental feathers, crude or not dressed, colored, or manufactured, twenty per centum ad valorem ; when dressed, colored, or manufactured, forty per centum ad valorem ;	
On feathers and flowers, artificial and parts thereof, of whatever material composed, not otherwise provided for, forty per centum ad valorem ;	
On fire-crackers, fifty cents per box of forty packs, not exceeding eighty to each pack ; and in the same proportion for a greater number ;	Fire-crackers.
On fruit, shade, lawn, and ornamental trees, shrubs, plants, and bulbous roots, and flower seeds, not otherwise provided for, thirty per centum ad valorem ;	Fruit-trees, roots, seeds, &c.
On gloves, made of skins or leather, forty per centum ad valorem ;	Gloves.
On gunpowder, and all explosive substances used for mining, blasting, artillery, or sporting purposes, valued at less than twenty cents per pound, six cents per pound ; valued at twenty cents or over per pound, six cents per pound and twenty per centum ad valorem in addition thereto ;	Gunpowder.
On garden seeds, and all other seeds for agricultural and horticultural purposes, not otherwise provided for, thirty per centum ad valorem ;	Garden seeds
On hides, raw, and skins of all kinds, whether dried, salted, or pickled, ten per centum ad valorem ;	Hides.
On hollow-ware and vessels of cast iron, not otherwise provided for, one cent and one-fourth per pound ;	Hollow-ware.
On hops, five cents per pound ;	Hops.
On human hair, raw, uncleaned, and not drawn, twenty per centum ad valorem ; when cleaned or drawn, but not manufactured, thirty per centum ad valorem ; when manufactured, forty per centum ad valorem ;	Human hair.
On lead ore, one dollar per one hundred pounds ;	Lead ore

Marble.	On marble, white statuary, in block, rough, or squared, seventy-five cents per cubic foot; veined marble, and marble of all other descriptions, not otherwise provided for, in block, rough, or squared, forty per centum ad valorem;
Manufactures of marble.	On all manufactures of marble, marble slabs, marble paving tiles, and marble sawed, dressed, or polished, fifty per centum ad valorem;
Bladders.	On manufactures of bladders, thirty per centum ad valorem;
India-rubber and silk.	On manufactures of India-rubber and silk, or of India-rubber and silk and other materials, fifty per centum ad valorem;
Mustard.	On mustard, ground, in bulk, twelve cents per pound; when enclosed in glass or tin, sixteen cents per pound;
Plates engraved.	On plates engraved, of steel, copper, wood, or any other material, twenty-five per centum ad valorem;
Plumbago.	On plumbago or black lead, ten dollars per ton;
Potatoes.	On potatoes, twenty-five cents per bushel;
Percussion caps, and fulminating powders.	On percussion caps, fulminates, fulminating powders, and all articles used for like purposes, not otherwise provided for, thirty per centum ad valorem;
Playing-cards.	On playing-cards, valued at twenty-five cents or less per pack, fifteen cents per pack; valued above twenty-five cents per pack, twenty-five cents per pack;
Metallic pens.	On pens, metallic, ten cents per gross;
Pen-holder tips.	On pen-holder tips, metallic, ten cents per gross;
Pen-holders.	On pen-holders, complete, ten cents per dozen;
Lead pencils.	On lead pencils, one dollar per gross;
Rice.	On rice, cleaned, one cent and a half per pound; paddy, three quarters of one cent per pound; uncleaned rice, one cent per pound;
Sago, &c.	On sago and sago flour, one cent and a half per pound;
Sheathing copper and metal.	On sheathing copper, and sheathing metal or yellow metal not wholly of copper nor wholly or in part of iron, ungalvanized, in sheets forty-eight inches long and fourteen inches wide, and weighing from fourteen to thirty-four ounces per square foot, three cents per pound;
Tin.	On tin in pigs, bars, or blocks, fifteen per centum ad valorem;
	On tin in plates or sheets, terne, and tagger tin, twenty-five per centum ad valorem; on oxide, muriatic, and salts of tin and tin foil, thirty per centum ad valorem.
Additional duties on	SEC. 9. <i>And be it further enacted,</i> That, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned and included in this section, there shall be levied, collected, and paid, on the goods, wares, and merchandise herein enumerated and provided for, imported from foreign countries, the following duties and rates of duty, that is to say:
Carpets and carpetings.	On Wilton, Saxony, and Aubusson, Axminster, patent velvet, Tournay velvet, and tapestry velvet carpets and carpeting, Brussels carpets wrought by the Jacquard machine, and all medallion or whole carpets, five cents per square yard; on Brussels and tapestry Brussels carpets and carpeting, printed on the warp or otherwise, three cents per square yard; on all treble-ingrain and worsted chain Venetian carpets and carpetings, three cents per square yard; on hemp or jute carpeting, two cents per square yard; on all other kinds of carpets and carpeting, of wool, flax, or cotton, or parts of either or other material (except druggets, bookings, and felt carpets and carpetings), not otherwise provided for, five per centum ad valorem: <i>Provided,</i> That mats, rugs, screens, covers, hassocks, bedsides, and other portions of carpets or carpeting, shall pay the rate of duty herein imposed on carpets and carpeting of similar character; on all other mats, screens, hassocks, and rugs, five per centum ad valorem.
Mats, rugs, screens, &c.	
Woollens and manufactures of wool.	On woollen cloths, woollen shawls, and all manufactures of wool, of every description, made wholly or in part of wool, not otherwise provided for, a duty of six cents per pound, and, in addition thereto, five per centum ad valorem;

On goods of like description, when valued at over one dollar per square yard, or weighing less than twelve ounces per square yard, a duty of six cents per pound, and, in addition thereto, ten per centum ad valorem ;

On endless belts or felts for paper, and blanketing for printing machines, five per centum ad valorem ;

On flannels, of all descriptions, five per centum ad valorem ;

On hats of wool, ten per centum ad valorem ;

On woollen and worsted yarn, of all descriptions, five per centum ad valorem ;

On clothing ready made, and wearing apparel of every description, composed wholly or in part of wool, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, six cents per pound, and, in addition thereto, five per centum ad valorem : *Provided*, That

Balmoral skirts, or goods of like description, or used for like purposes, made wholly or in part of wool, shall be subjected to the same duties that are levied upon ready-made clothing ;

On blankets of all kinds, made wholly or in part of wool, five per centum ad valorem ;

On all delaines, cashmere delaines, muslin delaines, barege delaines, composed wholly or in part of worsted, wool, mohair, or goats' hair, and on all goods of similar description, not exceeding in value forty cents per square yard, two cents per square yard ;

On bunting, worsted yarns, and on all other manufactures of worsted or of which worsted shall be a component material, not otherwise provided for, five per centum ad valorem ;

On oil-cloth for floors, stamped, or printed, of all descriptions, five per centum ad valorem.

On coir floor matting and carpeting, five per centum ad valorem.

SEC. 10. *And be it further enacted*, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned and provided for in this section, there shall be levied, collected, and paid, on the goods, wares, and merchandise herein enumerated, imported from foreign countries, the following duties and rates of duty, that is to say :

First. On all manufactures of cotton, bleached or unbleached, and not colored, stained, painted, or printed, and not exceeding one hundred threads to the square inch, counting the warp and filling, and exceeding in weight five ounces per square yard, one-fourth of one cent per square yard ; on finer or lighter goods of like description, not exceeding one hundred and forty threads to the square inch, counting the warp and filling, one-half cent per square yard ; on goods of like description, exceeding one hundred and forty threads, and not exceeding two hundred threads to the square inch, counting the warp and filling, three-fourths of one cent per square yard ; on like goods, exceeding two hundred threads to the square inch, counting the warp and filling, one cent per square yard ; on all goods embraced in the foregoing schedules (except jeans, denimes, drillings, bedtickings, gingham, plaids, cottonades, pantaloons, and goods of like description, not exceeding in value the sum of sixteen cents per square yard), if printed, painted, colored, or stained, they shall be considered to have been bleached goods, and there shall be levied, collected, and paid a duty of one cent per square yard, in addition to the rates of duty provided for bleached goods. *Provided*, That upon all plain woven cotton goods, not included in the foregoing schedules, and upon cotton goods of every description, the value of which shall exceed sixteen cents per square yard, there shall be levied, collected, and paid, a duty of five per centum ad valorem : *And provided, further*, That no cotton goods, having more than two hundred threads to the square inch, counting the warp and filling, shall be admitted to a less rate of duty than is provided for goods which are of that number of threads.

Manufactures of cotton, not colored, printed, &c.

If colored, printed, &c.

Plain woven cotton goods not included, &c.

- Spool cotton. Second. On spool and other thread of cotton, ten per centum ad valorem.
- Shirts and drawers. Third. On shirts and drawers, wove or made on frames, composed wholly of cotton and cotton velvet, five per centum ad valorem.
- Cotton jeans, &c. Fourth. On all cotton jeans, denimes, drillings, bedtickings, gingham, plaids, cottonades, pantaloons, stuffs, and goods of like description, not exceeding in value the sum of sixteen cents per square yard, two cents per square yard; and on all manufactures composed wholly of cotton, bleached, unbleached, printed, painted, or dyed, not otherwise provided for, five per centum ad valorem.
- Brown or bleached linens, &c. Fifth. On all brown or bleached linens, ducks, canvas paddings, cotton-bottoms, burlaps, drills, coatings, brown hollands, blay linens, damasks, diapers, crash, huckabacks, handkerchiefs, lawns, or other manufactures of flax, jute, or hemp (or of which flax, jute, or hemp shall be the component material of chief value), five per centum ad valorem; on flax or linen threads, twine and packthread, and all other manufactures of flax, or of which flax shall be the component material of chief value, and not otherwise provided for, five per centum ad valorem.
- Flax or linen threads. SEC. 11. *And be it further enacted*, That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned and provided for in this section, there shall be levied, collected, and paid, on the goods, wares, and merchandise herein enumerated, imported from foreign countries, the following duties and rates of duty, that is to say:
- Jute, Sisal grass, &c. On jute, Sisal grass, sun hemp, coir, and other vegetable substances not enumerated, (except flax, tow of flax, Russia and manilla hemp, and codilla, or tow of hemp,) five dollars per ton;
- Jute butts. On jute butts, one dollar per ton;
- Cordage. On tarred cables, or cordage, one-fourth of one cent per pound;
On untarred manilla cordage, one-fourth of one cent per pound;
On all other untarred cordage, one-half cent per pound;
- Hemp yarn. On hemp yarn, one cent per pound;
- Coir yarn. On coir yarn, one-half cent per pound;
- Seines. On seines, one-half cent per pound;
- Cotton bagging. On cotton bagging, or other manufactures not otherwise provided for, suitable for the uses to which cotton bagging is applied whether composed in whole or in part of hemp, jute, or flax, or any other material valued at less than ten cents per square yard, three-fourths of one cent per pound; over ten cents per square yard, one cent per pound;
- Sail duck. On sail duck, five per centum ad valorem;
- Russia, &c., sheetings. On Russia and other sheetings, made of flax or hemp, brown and white, five per centum ad valorem; and
- Other manufactures of hemp. On all other manufactures of hemp, or of which hemp shall be a component part, not otherwise provided for, five per centum ad valorem;
- Grass cloth. On grass cloth, five per centum ad valorem;
- Jute yarns. On jute yarns, five per centum ad valorem;
- Other manufactures of jute, &c. On all other manufactures of jute or Sisal grass, not otherwise provided for, five per centum ad valorem: *Provided*, That all hemp, or preparations of hemp used for naval purposes by the government of the United States, shall be of American growth or manufacture: *Provided, further*, The same can be obtained of as good quality and at as low a price.
- Hemp, &c., for naval purposes to be of American growth, if obtainable at same price, &c. SEC. 12. *And be it further enacted*, That from and after the day and year aforesaid, in lieu of the duties heretofore imposed by law on the articles hereinafter mentioned, and on such as may now be exempt from duty, there shall be levied, collected, and paid, on the goods, wares, and merchandise enumerated and provided for in this section, imported from foreign countries, the following duties and rates of duty, that is to say:
- Duties in lieu of duties, &c., on Earthen and stoneware. On all brown earthenware and common stoneware, gas retorts, stoneware not ornamented, and stoneware above the capacity of ten gallons, twenty per centum ad valorem;

On China and porcelain ware, gilded, ornamented, or decorated in any manner, forty per centum ad valorem ;	China and porcelain.
On China and porcelain ware, plain white, and not decorated in any manner, and all other earthen, stone, or crockery ware, white, glazed, edged, printed, painted, dipped, or cream-colored, composed of earthy or mineral substances, and not otherwise provided for, thirty-five per centum ad valorem ;	
Slates, slate pencils, slate chimney-pieces, mantels, slabs for tables, and all other manufactures of slate, forty per centum ad valorem ;	Slates, mantels, slabs, &c.
On unwrought clay, pipe clay, fire clay, and kaoline, five dollars per ton ;	Unwrought clay.
On fuller's earth, three dollars per ton ;	Fuller's earth.
On white chalk, four dollars per ton ; on red and French chalk, ten per centum ad valorem ; on chalk of all descriptions, not otherwise provided for, twenty-five per centum ad valorem.	Chalk.
On all plain and mould and press glassware, not cut, engraved, or painted, thirty per cent ad valorem ;	Glassware.
On all articles of glass, cut, engraved, painted, colored, printed, stained, silvered or gilded, not including plate-glass silvered, or looking-glass plates, thirty-five per centum ad valorem ;	
On fluted, rolled, or rough plate-glass, not including crown, cylinder, broad, or common window glass, not exceeding ten by fifteen inches, seventy-five cents per one hundred square feet ; above that, and not exceeding sixteen by twenty-four inches, one cent per square foot ; above that, and not exceeding twenty-four by thirty inches, one cent and a half per square foot ; all above that, two cents per square foot : <i>Provided</i> , That all fluted, rolled, or rough plate-glass, weighing over one hundred pounds per one hundred square feet, shall pay an additional duty on the excess at the same rates herein imposed ;	Rough plate-glass. Proviso.
On all cast polished plate-glass, unsilvered, not exceeding ten by fifteen inches, three cents per square foot ; above that, and not exceeding sixteen by twenty-four inches, five cents per square foot ; above that, and not exceeding twenty-four by thirty inches, eight cents per square foot ; above that, and not exceeding twenty-four by sixty inches, twenty-five cents per square foot ; all above that, fifty cents per square foot ;	Polished plate-glass, unsilvered.
On all cast polished plate-glass, silvered, or looking-glass plates, exceeding ten by fifteen inches, four cents per square foot ; above that, and not exceeding sixteen by twenty-four inches, six cents per square foot ; above that, and not exceeding twenty-four by thirty inches, ten cents per square foot ; above that, and not exceeding twenty-four by sixty inches, thirty-five cents per square foot ; all above that, sixty cents per square foot : <i>Provided</i> , That no looking-glass plates, or plate-glass silvered, when framed, shall pay a less rate of duty than that imposed upon similar glass, of like description, not framed, but shall be liable to pay, in addition thereto, thirty per centum ad valorem upon such frames ;	Polished plate-glass, silvered. Proviso.
On porcelain and Bohemian glass, glass crystals for watches, paintings on glass or glasses, pebbles for spectacles, and all manufactures of glass, or of which glass shall be a component material, except crown, cylinder, and other window glass, not otherwise provided for, and all glass bottles or jars filled with sweetmeats, preserves, thirty-five per centum ad valorem.	Porcelain, Bohemian glass, &c.
SEC. 13. <i>And be it further enacted</i> , That from and after the day and year aforesaid, in addition to the duties heretofore imposed by law on the articles hereinafter mentioned, there shall be levied, collected, and paid, on the goods, wares, and merchandise enumerated and provided for in this section, imported from foreign countries, a duty of five per centum ad valorem, that is to say :	Additional duties on
Argentine, alabalta, or German silver, manufactured or unmanufactured ;	Argentine, &c.

Articles em- broidered or worn.	Articles embroidered with gold, silver, or other metal ; Articles worn by men, women, or children, of whatever material composed, made up, or made wholly or in part by hand, not otherwise provided for ;
Britannia ware.	Britannia ware ;
Baskets, &c.	Baskets, and all other articles composed of grass, ozier, palm leaf, straw, whalebone, or willow, not otherwise provided for ;
Bracelets, &c.	Bracelets, braids, chains, curls, or ringlets composed of hair, or of which hair is a component material ;
Braces, &c.	Braces, suspenders, webbing, or other fabrics composed wholly or in part of India-rubber, not otherwise provided for ;
Brooms, &c.	Brooms and brushes of all kinds ;
Canes, &c.	Canes and sticks for walking, finished or unfinished ;
Capers, pickles, &c.	Capers, pickles, and sauces of all kinds, not otherwise provided for ;
Caps, hats, &c.	Caps, hats, muffs, and tippets of fur, and all other manufactures of fur, or of which fur shall be a component material ; Caps, gloves, leggins, mits, socks, stockings, wove shirts and drawers, and all similar articles made on frames, of whatever material composed, worn by men, women and children, and not otherwise provided for ;
Card cases, &c.	Card cases, pocket books, shell boxes, souvenirs, and all similar articles, of whatever material composed ;
Carriages, &c.	Carriages and parts of carriages ;
Clocks.	Clocks and parts of clocks ;
Clothing.	Clothing, ready made, and wearing apparel of whatever description, of whatever material composed, except wool, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer ; Coach and harness furniture of all kinds, saddlery, coach and harness hardware, silver plated, brass plated, or covered, common tinned, burnished, or japanned, not otherwise provided for ;
Coach, &c., furniture, sad- dlery, &c.	
Combs.	Combs of all kinds ;
Compositions of glass, &c.	Compositions of glass or paste, when set ; Composition tops for tables, or other articles of furniture ;
Preserved fruits.	Comfits, sweetmeats, or fruits preserved in sugar, brandy, or molasses, not otherwise provided for ;
Cotton cords.	Cotton cords, gimps, and galloons ;
Cotton laces, &c.	Cotton laces, cotton insertings, cotton trimming laces, and cotton braids, colored or uncolored ;
Court-plaster.	Court-plaster ;
Cutlery.	Cutlery of all kinds ;
Dolls, &c.	Dolls and toys of all kinds ;
Encaustic tiles.	Encaustic tiles ;
Epaulets, &c.	Epaulets, galloons, laces, knots, stars, tassels, tresses, and wings, of gold, silver, or other metal ;
Fans and fire- screens.	Fans and fire-screens of every description, of whatever material composed ;
Umbrella, &c., frames.	Frames and sticks for umbrellas, parasols, and sunshades, finished or unfinished ;
Furniture.	Furniture, cabinet and household ;
Furs.	Furs, dressed ;
Hair pencils.	Hair pencils ;
Hat bodies.	Hat bodies of cotton or wool, or of which wool is the component ma- terial of chief value ;
Hair cloth, &c.	Hair cloth, hair seatings, and all other manufactures of hair, not other- wise provided for ;
Ink.	Ink, printers' ink, and ink powder ;
Leather.	Japanned, patent or enamelled leather, or skins of all kinds ;
Jet.	Jet and manufactures of jet, and imitations thereof ;
Leather.	Leather, tanned, of all descriptions ;
Maccaroni, &c.	Maccaroni, vermicelli, gelatine, jellies, and all similar preparations ;

Manufactures of bone, shell, horn, ivory or vegetable ivory ;	Manufactures of bone, paper,
Manufactures of paper, or of which paper is a component material, not otherwise provided for ;	
Manufactures of the bark of the cork tree, except corks ;	bark of cork tree
Manufactures, articles, vessels and wares, not otherwise provided for, of gold, silver, copper, brass, iron, steel, lead, pewter, tin, or other metal, or of which either of these metals or any other metal shall be the component material of chief value ;	gold, silver, &c.,
Manufactures not otherwise provided for, composed of mixed materials, in part of cotton, silk, wool, or worsted, hemp, jute, or flax ;	mixed materials not otherwise provided for ;
Manufactures of cotton, linen, silk, or worsted, if embroidered or tambooured, in the loom or otherwise, by machinery or with the needle or other process, not otherwise provided for ;	cotton, silk, &c. not otherwise provided for.
Manufactures of cedar wood, granadilla, ebony, mahogany, rosewood, and satin wood ;	cedar wood, &c.,
Manufactures and articles of leather, or of which leather shall be a component part, not otherwise provided for ;	leather,
Manufactures, articles, and wares, of papier mache ;	papier mache,
Manufactures of goats' hair or mohair, or of which goats' hair or mohair shall be a component material, not otherwise provided for ;	goats' hair or mohair,
Manufactures of wood, or of which wood is the chief component part, not otherwise provided for ;	wood.
Morocco skins ;	Morocco skins.
Muskets, rifles, and other fire-arms ;	Muskets, &c.
Needles, sewing, darning, knitting, and all other descriptions ;	Needles.
Oil-cloth of every description, of whatever material composed, not otherwise provided for ;	Oil-cloth.
Paper boxes, and all other fancy boxes ;	Paper boxes.
Paper envelopes ;	Envelopes
Paper-hangings, and paper for screens or fire-boards ; paper, antiquarian, demy, drawing, elephant, foolscap, imperial, letter, and all other paper, not otherwise provided for ;	Paper-hangings, &c. <i>Post</i> , p. 742.
Pins, solid head or other ;	Pins.
Plated and gilt ware of all kinds ;	Plated and gilt ware.
Prepared vegetables, meats, fish, poultry, and game, sealed or unsealed, in cans or otherwise ;	Prepared meats, &c.
Ratans and reeds, manufactured or partially manufactured ;	Ratans and reeds.
Roofing slates ;	Roofing slates.
Scagliola tops for tables or other articles of furniture ;	Scagliola tops, &c.
Sealing-wax ;	Sealing-wax.
Side arms of every description ;	Side arms.
Silver-plated metal, in sheets or other form ;	Silver-plated metal.
Stereotype plates ;	Stereotype plates.
Still bottoms ;	Still bottoms.
Twines and packthread, of whatever material composed, not otherwise provided for ;	Twines.
Type metal ;	Type metal.
Types, new ;	Types.
Umbrellas, parasols, and sunshades ;	Umbrellas.
Velvet, when printed or painted ;	Velvet.
Wafers ;	Wafers.
Water colors ;	Water colors.
Watches and parts of watches, and watch materials, and unfinished parts of watches ;	Watches, &c.
Webbing, composed of wool, cotton, flax, or any other materials, not otherwise provided for.	Webbing.
SEC. 14. <i>And be it further enacted</i> , That, from and after the day and year aforesaid, there shall be levied, collected, and paid on all goods, wares, and merchandise of the growth or produce of countries beyond the	Ten per cent. additional duty on tea, and products of countries

beyond the Cape of Good Hope, if imported, &c.

1863, ch. 77, § 2.
Post, p. 742.

Additional tonnage duty on vessels after Dec. 31, 1862.

Certain ships to pay tonnage duty only once a year.

Post, p. 742.

This act not to impair rights, &c., under any treaty.

Suspension of part of act of 1856, ch. 164. Vol. xi. p. 119. Guano.

Post, p. 742.

Tare, how estimated.

After Nov. 1, 1862, no goods to be admitted to entry, unless the invoice is verified by oath.

[Repealed, 1863, ch. 76, § 14.

Post, p. 741.]

Oath to certify what,

by whom administered.

Cape of Good Hope, when imported from places this side of the Cape of Good Hope, a duty of ten per cent. ad valorem, and in addition to the duties imposed on any such articles when imported directly from the place or places of their growth or production.

SEC. 15. *And be it further enacted*, That upon all ships, vessels, or steamers, which, after the thirty-first day of December, eighteen hundred and sixty-two, shall be entered at any custom-house in the United States from any foreign port or place, or from any port or place in the United States, whether ships or vessels of the United States, or belonging wholly or in part to subjects of foreign powers, there shall be paid a tax or tonnage duty of ten cents per ton of the measurement of said vessel, in addition to any tonnage duty now imposed by law: *Provided*, That the said tax or tonnage duty shall not be collected more than once in each year on any ship, vessel, or steamer having a license to trade between different districts of the United States, or to carry on the bank, whale, or other fisheries, whilst employed therein, or on any ship, vessel, or steamer, to or from any port or place in Mexico, the British provinces of North America, or any of the West India islands: *Provided, also*, That nothing in this act contained shall be deemed in anywise to impair any rights and privileges which have been or may be acquired by any foreign nation under the laws and treaties of the United States relative to the duty on tonnage of vessels: *Provided, further*, That so much of the act of August eighteen, eighteen hundred and fifty-six, entitled "An act to authorize protection to be given to citizens of the United States who may discover deposits of guano," as prohibits the export thereof, is hereby suspended for one year from and after the passage of this act.

SEC. 16. *And be it further enacted*, That from and after the passage of this act, in estimating the allowance for tare on all chests, boxes, cases, casks, bags, or other envelope or covering of all articles imported liable to pay any duty, where the original invoice is produced at the time of making entry thereof, and the tare shall be specified therein, it shall be lawful for the collector, if he shall see fit, or for the collector and naval officer, if such officer there be, if they shall see fit, with the consent of the consignees, to estimate the said tare according to such invoice; but in all other cases the real tare shall be allowed, and may be ascertained under such regulations as the Secretary of the Treasury may from time to time prescribe; but in no case shall there be any allowance for draft.

SEC. 17. *And be it further enacted*, That from and after the first day of November, eighteen hundred and sixty-two, no goods, wares, or merchandise subject to ad valorem or specific duty, whether belonging to a person or persons residing in the United States or otherwise, or whether acquired by the ordinary process of bargain and sale, or otherwise, shall be admitted to entry, unless the invoice of such goods, wares, or merchandise be verified by the oath of the owner or one of the owners, or in the absence of the owner, one of the party who is authorized by the owner to make the shipment and sign the invoice of the same, certifying that the invoice annexed contains a true and faithful account, if subject to ad valorem duty and obtained by purchase, of the actual cost thereof, and of all charges thereon, and that no discounts, bounties, or drawbacks are contained in the said invoice but such as have actually been allowed on the same; and when consigned or obtained in any manner other than by purchase, the actual market value thereof, and if subject to specific duty, of the actual quantity thereof; which said oath shall be administered by the consul or commercial agent of the United States in the district where the goods are manufactured, or from which they are sent; and if there be no consul or commercial agent of the United States in the said district, the verification hereby required shall be made by the consul or commercial agent of the United States at the nearest point, or at the port from which the goods are shipped, in which case the oath shall be administered

by some public officer, duly authorized to administer oaths, and transmitted with a copy of the invoice to the consul or commercial agent for his authentication; and this act shall be construed only to modify, and not repeal, the act of March first, eighteen hundred and twenty-three, entitled "An act supplementary to, and to amend an act entitled 'An act to regulate the collection of duties on imports and tonnage,' passed second March, one thousand seven hundred and ninety-nine, and for other purposes," and the forms of the oaths therein set forth shall be modified accordingly. And there shall be paid to the said consul, vice-consul, or commercial agent, by the person or persons by or in behalf of whom the said invoices are presented and deposited one dollar for each and every invoice verified, which shall be accounted for by the officers receiving the same, in such manner as is now required by the laws regulating the fees and salaries of consuls and commercial agents: *Provided*, That nothing herein contained shall be construed to require for goods imported under the reciprocity treaty with Great Britain, signed June fifth, eighteen hundred and fifty-four, any other consular certificate than is now required by law: *And provided, further*, That the provisions of this section shall not apply to invoices of goods, wares, and merchandise imported into the United States from beyond Cape Horn and the Cape of Good Hope, until the first day of April, one thousand eight hundred and sixty-three: *And provided, further*, That the provisions of this section shall not apply to countries where there is no consul, vice-consul, or commercial agent of the United States.

This act modifies and does not repeal act 1823, ch. 21. Vol. iii. p. 729. 1799, ch. 22. Vol. i. p. 627. Fees of consul, &c.

Reciprocity treaty with Great Britain. Vol. x. p. 1089. Invoices of goods from beyond the Cape of Good Hope. Proviso where there is no consul, &c.

SEC. 18. *And be it further enacted*, That, from and after the date aforesaid, it shall be the duty of consuls and commercial agents of the United States, having any knowledge or belief of any case or practice of any person or persons who obtain or should obtain verification of invoices as described in the preceding section, whereby the revenue of the United States is or may be defrauded, to report the facts to the collector of the port where the revenue is or may be defrauded, or to the Secretary of the Treasury of the United States.

Consuls, &c., to report fraudulent practices.

SEC. 19. *And be it further enacted*, That from and after the passage of this act, the act entitled "An act to provide for the payment of outstanding treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes," approved March two, eighteen hundred and sixty-one, be, and the same is hereby, amended as follows, that is to say: First, in section twelve, before the word "eighteen," where it first occurs, strike out "less than;" second, in section twenty-three, after the words, "artists residing abroad," strike out, "provided the same be imported in good faith as objects of taste and not of merchandise," and insert, "provided the fact, as aforesaid, shall be certified by the artist, or by a consul of the United States;" and in the same section, before the word "ornament," insert, "ores of gold and silver."

Amendments of act 1861, ch. 68, §§ 12, 23. Ante, pp. 183, 195.

SEC. 20. *And be it further enacted*, That the sixth section of an act entitled "An act to extend the warehousing system by establishing private bonded warehouses, and for other purposes," be, and the same is hereby, amended so that the additional duty of one hundred per centum shall not apply to the invoice or appraised value of the merchandise withdrawn, but shall be so construed as to require for failure to transport and deliver within the time limited, a duty to be levied and collected of double the amount [to] which said goods, wares, and merchandise would be liable upon the original entry thereof.

Amendment of act 1854, ch. 30, § 6. Vol. x. p. 272.

SEC. 21. *And be it further enacted*, That all goods, wares, and merchandise, which may be in the public stores or bonded warehouse on the first day of August, eighteen hundred and sixty-two, may be withdrawn for consumption upon payment of the duties now imposed thereon by law, provided the same shall be so withdrawn within three months from the date of original importation; but all goods, wares, and merchandise

Goods in public stores and on shipboard August 11, 1862, subject to what rates of duty. Post, p.

Goods in public store to be withdrawn, or duties paid within one year of importation, or may be transhipped within three years,

otherwise to be sold.

Goods on which duties are paid may remain in warehouse, &c.

Drugs, &c., may be exported.

1861, ch. 45,
§ 5.
Ante, p. 294.

1861, ch. 68,
§ 30.
Ante, p. 197.

1861, ch. 45,
§ 4.
Ante, p. 293.

Supplies for vessels-of-war of certain nations may be bought from warehouse duty free.

Repeal of inconsistent provisions.
Existing laws to be in force.

Act of 1862, ch. 119, § 95, amended.
Ante, p. 475.

which shall remain in the public stores or bonded warehouse for more than three months from the date of original importation, if withdrawn for consumption, and all goods on shipboard on the first day of August, eighteen hundred and sixty-two, shall be subject to the duties prescribed by this act: *Provided*, That all goods which now are or may be deposited in public store or bonded warehouse after this act takes effect and goes into operation, must be withdrawn therefrom, or the duties thereon paid within one year from the date of original importation, but may be withdrawn by the owner for exportation to foreign countries, or may be transhipped to any port of the Pacific or western coast of the United States at any time before the expiration of three years from the date of original importation; such goods on arrival at a Pacific or western port, as aforesaid, to be subject to the same rules and regulations as if originally imported there; any goods remaining in public store or bonded warehouse beyond three years shall be regarded as abandoned to the government, and sold under such regulations as the Secretary of the Treasury may prescribe, and the proceeds paid into the treasury: *Provided, further*, That merchandise upon which duties have been paid may remain in warehouse in custody of the officers of the customs at the expense and risk of the owners of said merchandise, and if exported directly from said custody to a foreign country within three years, shall be entitled to return duties, proper evidence of such merchandise having been landed abroad to be furnished to the collector by the importer, one per centum of said duties to be retained by the government: *And provided, further*, That all drugs, medicines, and chemical preparations, entered for exportation and deposited in warehouse or public store, may be exported by the owner or owners thereof in the original package, or otherwise, subject to such regulations as shall be prescribed by the Secretary of the Treasury: *And provided, further*, That the third or last proviso to the fifth section of an act entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved the sixth [fifth] day of August, eighteen hundred and sixty-one, be, and the same is hereby, repealed; and no return of the duties shall be allowed on the export of any merchandise after it has been removed from the custody and control of the government; but nothing herein contained shall be held to apply to or repeal section thirty of the act entitled "An act to provide for the payment of outstanding treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes," approved March second, eighteen hundred and sixty-one, or section four of an act entitled "An act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one.

SEC. 22. *And be it further enacted*, That the privilege of purchasing supplies from the public warehouses duty free, be extended under such regulations as the Secretary of the Treasury shall prescribe to the vessels-of-war of any nation in ports of the United States, which may reciprocate such privilege towards the vessels-of-war of the United States in its ports.

SEC. 23. *And be it further enacted*, That all acts and parts of acts repugnant to the provisions of this act be, and the same are hereby, repealed: *Provided*, That the existing laws shall extend to, and be in force for, the collection of the duties imposed by this act, for the prosecution and punishment of all offences, and for the recovery, collection, distribution, and remission of all fines, penalties, and forfeitures, as fully and effectually as if every regulation, penalty, forfeiture, provision, clause, matter, and thing to that effect, in the existing laws contained, had been inserted in and reenacted by this act.

SEC. 24. *And be it further enacted*, That in the ninety-fifth section of the act entitled "An act to provide internal revenue to support the gov-

ernment and [to] pay interest on the public debt," approved July first, eighteen hundred and sixty-two, be so amended that no instrument, document, or paper, made, signed, or issued prior to the first day of January, eighteen hundred and sixty-three, without being duly stamped, or having thereon an adhesive stamp to denote the duty imposed thereon, shall for that cause be deemed invalid and of no effect: *Provided, however,* That no such instrument, document, or paper shall be admitted or used as evidence in any court until the same shall have been duly stamped, nor until the holder thereof shall have proved to the satisfaction of the court that he has paid to the collector or deputy collector of the district within which such court may be held the sum of five dollars, for the use of the United States.

[Repealed, 1863, ch. 4, § 5.
Post, p. 633.]
 Instruments not to be invalid without stamp prior to Jan. 1, 1863.
Post, pp. 723, 724.
 Must be stamped, &c., before they are used in evidence.

SEC. 25. *And be it further enacted,* That no part of the act aforesaid, in relation to stamp duties, shall be held to take effect before the first day of September, eighteen hundred and sixty-two. And so much of said act as relates to the appointment of collectors and assessors shall be held to take effect on the twenty-first day of July, eighteen hundred and sixty-two, instead of from and after its approval by the President.

When parts of act 1862, c. 119 take effect.
Ante, pp. 433, 475.

APPROVED, July 14, 1862.

CHAP. CLXIV. — *An Act making Appropriations for the Naval Service for the Year ending thirtieth of June, eighteen hundred and sixty-three, and for other Purposes.* July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the year ending the thirtieth of June, eighteen hundred and sixty-three:

Appropriation.

For pay of commission, warrant, and petty officers and seamen, including the engineer corps of the navy, eleven million six hundred and seven thousand one hundred and nine dollars.

Pay of officers and men.

For the repair and equipment of vessels of the navy, eleven million four hundred thousand dollars.

Repair and equipment.

For fuel for the navy, to be purchased in the mode prescribed by law for other materials, and for the transportation thereof, two million one hundred and sixty thousand dollars.

Fuel.

For the purchase of hemp and other materials for the navy, five hundred and forty thousand dollars.

Hemp.

For ordnance and ordnance stores, including incidental expenses, five million one hundred and fifty thousand dollars.

Ordnance and ordnance stores.

For provisions for commission, warrant, and petty officers and seamen, including engineers and marines attached to vessels for sea service, three million three hundred and fifty-one thousand five hundred and twenty-one dollars and twenty-five cents; *Provided,* That the preserved meat forming part of the navy ration may be prepared and packed under the direction of the Secretary of the Navy, if he shall deem it advisable; and that the cattle or fresh beef therefor may be purchased under his directions, and from this appropriation; and that he be authorized to do whatever else may be necessary for the procuring, preparing, and packing said preserved meat in the most approved and advantageous manner; the expense for machinery and tools to be defrayed from the last-named sum, and not to exceed five thousand dollars.

Provisions.

Preserved meats, how may be prepared and packed.

For surgeons' necessaries and appliances for the sick and hurt of the navy, including the engineer and marine corps, seventy-seven thousand nine hundred dollars.

Surgeons' appliances.

For contingent expenses that may accrue for the following purposes, viz: freight and transportation; printing and stationery; advertising in newspapers; books, maps, models, drawings; purchase and repair of fire-engines; for machinery of every description and the patent right to use

Contingent expenses.

the same; repair of and attending to steam-engines in navy yards; purchase and maintenance of horses and oxen, and driving teams, carts, timber-wheels, and the purchase and repair of workman's tools; postage of public letters; telegrams; fuel, oil, and candles for navy yards and shore stations; pay of watchmen and incidental labor not chargeable to any other appropriation; transportation to, and labor attending the delivery of provisions and stores on foreign stations; wharfage, dockage, and rent for docking vessels; for furniture for government houses; travelling expenses of officers and others under orders; funeral expenses; store and office rent; fuel, commissions and pay of clerks to navy agents and storekeepers; flags, awnings, and packing boxes; premiums, and other expenses of recruiting; apprehending deserters; per diem pay to persons attending courts-martial, courts of inquiry, and other services authorized by law; pay to judge advocates; pay to lithographers; pilotage and towage of vessels, and assistance to vessels in distress; and for bills of health and quarantine expenses of vessels of the United States navy in foreign ports, one million seven hundred thousand dollars.

Clothing. For clothing for the navy, six hundred thousand dollars.

Charter of vessels, &c.

Navy officers to make contracts for charter or purchase of vessels where, &c.

For the charter of vessels, stores, extra laborers, and purchase of additional steam-vessels, three million dollars: *Provided*, That hereafter, in all cases where the officers of the navy can be made available, consistently with the public service, in making contracts for the charter of vessels and the purchase of additional steam-vessels, no other person or persons shall be employed; nor shall such officers, when so employed, receive any compensation in addition to their official pay, and when any other person or persons than an officer of the navy shall be employed, the compensation shall not exceed the sum of five thousand dollars for all contracts for purchases or charters in any one year made under the provisions of this act.

Compensation of other persons.

Lithographer.

For pay of lithographer for the year ending June, eighteen hundred and sixty-two, three hundred dollars.

Repairs, &c., Navy Department building. Marine corps; pay, &c.

For repairs, painting, and raising the roof of the Navy Department building, finishing and furnishing the same, twenty thousand dollars.

Marine Corps.—For pay of officers, non-commissioned officers, musicians, privates, clerks, messengers, stewards, and servants; for rations and clothing for servants; additional rations for five years' service; for undrawn clothing and rations, bounties for reenlistments, six hundred and ninety-six thousand one hundred and ninety-eight dollars and thirty cents.

For the support of five hundred and eighty men authorized to be enlisted for the marine corps, by the President of the United States, on the twenty-second of November, eighteen hundred and sixty-one, seventy four thousand seven hundred and sixty-seven dollars and forty cents.

Provisions.

For provisions, one hundred and forty-three thousand four hundred and forty-five dollars.

Clothing.

For clothing, one hundred and thirty-four thousand six hundred and sixty dollars.

Fuel.

For fuel, thirty thousand eight hundred and ninety-four dollars and fifty cents.

Military stores.

For military stores, namely: Pay of armorers, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, fifes, and other instruments, fifteen thousand dollars.

Transportation.

For transportation of officers, their servants, and troops, and expenses of recruiting, twenty-two thousand dollars.

Repairs and rent.

For repairs of barracks, and rent of offices where there are no public buildings for that purpose, eight thousand dollars.

Charlestown barracks.

For completing repairs of Charlestown barracks, ten thousand four hundred and fifty-eight dollars and ninety-seven cents: *Provided*, That the same can be fully completed for that sum; and no part of the money

hereby appropriated shall be expended until it is satisfactorily ascertained that the said building can be completed therewith.

For contingencies, namely: Freight, ferriage, toll, carriage, wharfage; purchase and repair of boats; compensation to judge advocates; per diem for attending courts-martial, courts of inquiry, and for constant labor; house rent in lieu of quarters; burial of deceased marines; printing, stationery, postage, telegraphing; apprehension of deserters; oil, candles, gas; repairs of gas and water fixtures, water rent, forage, straw, barrack furniture; bed sacks, spades, shovels, axes, picks, carpenters' tools; keep of a horse for the messenger; pay of matron, washerwoman, and porter at the hospital head-quarters, forty-five thousand dollars.

Contingencies.

Navy Yards.

Navy Yards.

Portsmouth, New Hampshire.—For machine shop and smithery, fitting and furnishing the same, reservoir, capstan for sheers, quay wall near landing, extension of storehouse number eleven one hundred feet, repairs and increase of ordnance machinery and shops, and repairs of all kinds, two hundred and thirty-two thousand thirty-two dollars.

Portsmouth.

For futtock saw-mill and building, ten thousand dollars.

Boston.—For paving and draining at new shops; coal-house for foundery, smithery, and for other purposes; reservoir and steam pump, or pipes for Cochituate water; water-closets; repairs and increase of ordnance machinery and shops, and repairs of all kinds, two hundred and fifty-three thousand five hundred dollars.

Boston.

For house foundation and heavy Nesmith hammer for heavy forgings, sixty-two thousand dollars.

For the purchase of land and wharf adjoining the navy-yard at Charlestown, Massachusetts, owned by Oakman and Eldridge, and extending from Charles River to Water-street, and containing about one hundred and twenty thousand square feet, one hundred and twenty-three thousand dollars.

For futtock saw-mill and building, ten thousand dollars.

New York.—For dredging channels; building and repairing scows; rebuilding long dock; repairs to ship-houses; quay walls; extension of sewer; boiler house; foundery shed; machinery for machine shop, foundery, boiler shop, and smithery; repairs of machinery, boilers; repairs of engines in machine shop; repairs and increase of ordnance machinery and shops, and repairs of all kinds, three hundred and twenty thousand eight hundred and forty-six dollars.

New York.

For a cylinder for roasting coffee, four hundred dollars.

Philadelphia.—For extension of joiners' shop, storehouses and smithery; repairs of dry dock; dredging; repairs and increase of ordnance machinery and shops, and repairs of all kinds, one hundred and twenty-eight thousand seven hundred and forty-six dollars.

Philadelphia.

Washington.—For machinery and tools; paving; gas works; repairs and increase of ordnance machinery and shops, and repairs of all kinds, one hundred and twenty-six thousand nine hundred and eighty-five dollars.

Washington.

Mare Island.—For completion of derrick, foundery, and equipment; grading; completing officers' houses; gas works; two iron wharf-cranes; machinery and tools for smithery; cisterns; scows, lighters, stages and pile-driver; drainage and sewerage; boat-house and slip, and repairs of all kinds, one hundred and ninety-six thousand three hundred and fifty two dollars: *Provided*, That no expenditure for completing officers' houses shall be incurred until complete plans and specifications, with estimates of cost in detail, shall be furnished to and approved by the Secretary of the Navy, and the work shall be done by contract after due and public advertisement for proposals; but no portion of this appropriation shall be expended unless the work can be completed for the sum hereby appropriated.

Mare Island.

Expenditure on officers' houses.

Sackett's Harbor.

Sackett's Harbor.—For repairs of all kinds, one thousand five hundred dollars.

Hospitals.

Hospitals.

Portsmouth.
Purchase of
Seavey's Island.

Portsmouth, New Hampshire.—For purchase of twenty-seven and three hundred and fifty-five thousandths acres of land on Seavey's island, adjacent to the Kittery navy yard, fourteen thousand five hundred dollars: *Provided*, That the Chief of the Bureau of Yards and Docks be, and he is hereby, authorized to purchase that portion of Seavey's island lying west of the road, for such sum as to him may seem reasonable and advantageous to the government.

Building not to
be erected, &c.
until plans, &c.
are furnished, &c.

For hospital on Seavey's island, ten thousand dollars: *Provided*, That no building shall be erected or extended until complete plans and specifications and estimates of cost in detail shall be furnished to and approved by the Secretary of the Navy, and contracts therefor shall be let upon due and public advertisement.

Boston.

Boston.—For extension of hospital and repairs of buildings, seventy-one thousand five hundred dollars: *Provided*, That no building shall be erected or extended until complete plans and specifications and estimates of cost in detail shall be furnished to and approved by the Secretary of the Navy, and contracts therefor shall be let upon due and public advertisement.

New York.

New York.—For repairs and improvements, and house for surgeon and director of the laboratory, twenty-one thousand five hundred dollars.

Philadelphia.

Philadelphia.—For furniture and repairs of same; house cleaning and whitewashing; repairs to furnaces, grates, and ranges; gas and water rent; painting wall on Shippen-street, and general repairs, five thousand three hundred dollars.

For support of beneficiaries, twenty-seven thousand dollars.

Magazines.

Magazines.

Boston.

Boston.—For general repairs of buildings; addition to magazine, and wall around magazine grounds, thirty-two thousand nine hundred and thirteen dollars.

New York.

New York.—For improvement of armory; house for storage of loaded shells, and repairs of all kinds, fifty-five thousand two hundred and forty-nine dollars.

Philadelphia.

Philadelphia.—For repairs of wharf and magazine at Fort Mifflin, one thousand five hundred dollars.

Washington.

Washington.—For repairs of magazine and ordnance buildings, six thousand dollars.

Mare Island.

Mare Island.—For repairs of all kinds, two thousand dollars.

Civil establishments
at navy
yards.

For pay of superintendents, naval constructors, and all the civil establishments at the general navy yards and stations, one hundred and four thousand five hundred and eighty-four dollars: *Provided*, That hereafter no salaries shall be paid to any employee in any of the navy yards except to those designated in the estimates. All other persons shall receive a per diem compensation for the time during which they were actually engaged.

Salaries of employees
in Navy
Yards.

Naval Observa-
tory.

Naval Observatory.—For the purchase of nautical instruments, repairs of the same, and of astronomical instruments, and for the purchase of nautical books, maps, and charts, and for backing and binding the same, sixty thousand dollars.

For wages of instrument maker, watchman, porter, and laborers; for keeping grounds in order; for fuel, lights, freights, transportation, and postage; for repairs to buildings and enclosures, and contingent expenses, thirteen thousand dollars.

For pay of four aids to be employed at the Observatory and Hydrographical office, four thousand dollars.

- For wages of watchmen and contingent expenses of the Naval Academy, twenty-two thousand seven hundred and ninety-seven dollars. Watchmen.
- For the pay of mileage of the visitors to the Naval Academy, one thousand dollars. Mileage of visitors to Naval Academy.
- For preparing for publication the American Nautical Almanac, twenty-five thousand eight hundred and eighty dollars. American Nautical Almanac.
- SEC. 2. *And be it further enacted,* That the pay of any captain of the navy who shall, in pursuance of law, perform duty as chief of a bureau in the Navy Department, shall be the pay of a captain in the navy "on other duty," to take effect from the date of the "Act regulating the pay of the navy," approved June one, eighteen hundred and sixty. Pay of captain of navy doing duty as chief of bureau.
1860, ch. 87.
Ante, p. 23.
- SEC. 3. *And be it further enacted,* That the pay of the clerks of the navy yard and navy agency at Mare Island shall be as follows, viz: One clerk to navy agent, two thousand dollars per annum; one clerk to navy agent, fifteen hundred dollars; one clerk to the commandant, fifteen hundred dollars; one clerk of the yard, fifteen hundred dollars; one clerk to the paymaster and inspector of provisions, and so forth, fifteen hundred dollars; one clerk to the naval constructor, nine hundred dollars; one clerk to the civil engineer, nine hundred dollars; one draughtsman to civil engineer, twelve hundred dollars; one steward to paymaster, seven hundred and fifty dollars. Pay of clerks, &c., at Mare Island.
- SEC. 4. *And be it further enacted,* That from and after the first day of September, eighteen hundred and sixty-two, the spirit ration in the navy of the United States shall forever cease, and thereafter no distilled spirituous liquors shall be admitted on board of vessels-of-war except as medical stores, and upon the order and under the control of the medical officers of such vessels, and to be used only for medical purposes. From and after the said first day of September next there shall be allowed and paid to each person in the navy now entitled to the spirit ration five cents per day in commutation and lieu thereof, which shall be in addition to their present pay. Spirit ration to cease.

Commutation in lieu thereof.
- SEC. 5. *And be it further enacted,* That the orders, regulations, and instructions heretofore issued by the Secretary of the Navy be, and they are hereby, recognized as the regulations of the Navy Department, subject, however, to such alterations as the Secretary of the Navy may adopt, with the approbation of the President of the United States. Orders, &c., of the Secretary of Navy to be regulations of Navy Department.
- SEC. 6. *And be it further enacted,* That the pay of the secretary of a commander of a squadron shall hereafter be fifteen hundred dollars a year and one ration. Pay of secretary of commander of squadron.
- SEC. 7. *And be it further enacted,* That chaplains in the navy shall be no less than twenty-one nor more than thirty-five years of age at the time of their appointment as such. Age of chaplains at their appointment.
- SEC. 8. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to annually appoint ten acting midshipmen for education at the Naval Academy, who shall be selected from the sons of officers or soldiers who distinguish[ed] themselves in the service of the United States, or from the sons of officers or men in the naval or marine service of the United States who have thus distinguished themselves. President may appoint ten acting midshipmen from sons of officers, &c.
- SEC. 9. *And be it further enacted,* That the District of Columbia shall be regarded for all the purposes of appointment to the Naval Academy as a congressional district, their appointment thereto to be designated by the President of the United States from residents of the District. To appointments in Naval Academy the District of Columbia to be regarded as a congressional district.

APPROVED, July 14, 1862.

July 14, 1862. CHAP. CLXV. — *An Act for the Relief of Preemptors on the Home Reservation of the Winnebagoes, in the Blue-earth Region, in the State of Minnesota.*

Preamble.

Whereas certain individuals have memorialized Congress, setting forth that they were bona fide actual settlers, under the preemption laws of the United States, in the tract of country known as the eighteen-mile-square home reservation of the Winnebagoes, in the Blue-earth region, Minnesota, at a period of time when the Indian title had been extinguished, and prior to the setting apart by legal divisions of the said Indian home reservation, under the second article of the treaty of the twenty-seventh of February, eighteen hundred and fifty-five, and that by reason of the setting apart of said home reservation they were forced from their settlements and subjected to loss and damage by the destruction of their improvements; therefore —

Certain settlers in the Blue-earth Region, Minnesota, may perfect their rights as preemptors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall and may be law for each of such settlers, within three months from and after the passage of this act, to file his declaratory statement with the proper register and receiver, descriptive of the tract so settled upon and improved; and under such regulations as may be prescribed by the Secretary of the Interior, said settler shall be permitted to establish his claim by the production of testimony showing compliance with all the requirements of the preemption law up to the period when said settler was ousted by reason of the premises falling within the aforesaid Indian home reservation; that the testimony required under this act shall be the affidavit of the claimant himself, taken before the register and receiver, and shall show the date of the commencement and the period of continuance of his improvements, the extent of the same, size of his habitation, the time and labor required in its construction, extent of other improvements, and the cost to him and value of the same, and value of crop derived from the same. The affidavit to be corroborated by disinterested testimony.

Secretary of Interior to determine on validity of claim.

SEC. 2. *And be it further enacted,* That upon the return of such testimony to the department, it shall be the duty of the Secretary of the Interior finally to adjudge the validity or invalidity of each claim; and in regard to those shown to be bona fide under the preemption law, to report a list of the same, with all the testimony, to Congress, stipulating such award as should be paid as damages growing out of the loss and destruction of such improvements, by reason of the appropriation of such settlements to the Indian reservation, as aforesaid: *Provided,* That the land officers of the local land office herein mentioned shall not receive any additional pay or fees for the services hereby required of them.

Land officers to have no additional fees.

APPROVED, July 14, 1862.

July 14, 1862.

CHAP. CLXVI. — *An Act to grant Pensions.*

Who may have pensions. Post, p. 626.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any officer, non-commissioned officer, musician, or private of the army, including regulars, volunteers, and militia, or any officer, warrant, or petty officer, musician, seaman, ordinary seaman, flotilla-man, marine, clerk, landsman, pilot, or other person in the navy or marine corps, has been, since the fourth day of March, eighteen hundred and sixty-one, or shall hereafter be, disabled by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, he shall, upon making due proof of the fact according to such forms and regulations as are or may be provided by or in pursuance of law, be placed upon the list of invalid pensions of the United States, and be entitled to receive, for the highest rate of disability, such pension as is hereinafter provided in such cases, and for an inferior disability an amount proportionate to the highest

disability, to commence as hereinafter provided, and continue during the existence of such disability. The pension for a total disability for officers, non-commissioned officers, musicians, and privates employed in the military service of the United States, whether regulars, volunteers, or militia, and in the marine corps, shall be as follows, viz : Lieutenant-colonel, and all officers of a higher rank, thirty dollars per month ; major, twenty-five dollars per month ; captain, twenty dollars per month ; first lieutenant, seventeen dollars per month ; second lieutenant, fifteen dollars per month ; and non-commissioned officers, musicians, and privates, eight dollars per month. The pension for total disability for officers, warrant, or petty officers, and others employed in the naval service of the United States, shall be as follows, viz : Captain, commander, surgeon, paymaster, and chief engineer, respectively, ranking with commander by law, lieutenant commanding, and master commanding, thirty dollars per month ; lieutenant, surgeon, paymaster, and chief engineer, respectively, ranking with lieutenant by law, and passed assistant surgeon, twenty-five dollars per month ; professor of mathematics, master, assistant surgeon, assistant paymaster, and chaplain, twenty dollars per month ; first assistant engineers and pilots, fifteen dollars per month ; passed midshipman, midshipman, captains' and paymasters' clerk, second and third assistant engineer, masters' mate, and all warrant officers, ten dollars per month ; all petty officers, and all other persons before named employed in the naval service, eight dollars per month ; and all commissioned officers, of either service, shall receive such and only such pension as is herein provided for the rank in which they hold commissions.

Rate of pensions in military service ;

in naval service.

SEC. 2. *And be it further enacted*, That if any officer or other person named in the first section of this act has died since the fourth day of March, eighteen hundred and sixty-one, or shall hereafter die, by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, his widow, or, if there be no widow, his child or children under sixteen years of age, shall be entitled to receive the same pension as the husband or father would have been entitled to had he been totally disabled, to commence from the death of the husband or father, and to continue to the widow during her widowhood, or to the child or children until they severally attain to the age of sixteen years, and no longer.

In case of death of those entitled to pensions, widows or children to have the pensions.

SEC. 3. *And be it further enacted*, That where any officer or other person named in the first section of this act shall have died subsequently to the fourth day of March, eighteen hundred and sixty-one, or shall hereafter die, by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, and has not left or shall not leave a widow nor legitimate child, but has left or shall leave a mother who was dependent upon him for support, in whole or in part, the mother shall be entitled to receive the same pension as such officer or other person would have been entitled to had he been totally disabled ; which pension shall commence from the death of the officer or other person dying as aforesaid : *Provided, however*, That if such mother shall herself be in receipt of a pension as a widow, in virtue of the provisions of the second section of this act, in that case no pension or allowance shall be granted to her on account of her son, unless she gives up the other pension or allowance : *And provided, further*, That the pension given to a mother on account of her son shall terminate on her remarriage : *And provided, further*, That nothing herein shall be so construed as to entitle the mother of an officer or other person dying, as aforesaid, to more than one pension at the same time under the provisions of this act.

When mother of person entitled to pension may receive it.

Not to receive more than one pension.

SEC. 4. *And be it further enacted*, That where any officer or other person named in the first section of this act shall have died subsequently to the fourth day of March, eighteen hundred and sixty-one, or shall here-

When sisters may receive the pension.

When sisters may receive the pension.

after die, by reason of any wound received or disease contracted while in the service of the United States, and in the line of duty, and has not left or shall not leave a widow, nor legitimate child, nor mother, but has left or may leave an orphan sister or sisters, under sixteen years of age, who were dependent upon him for support, in whole or in part, such sister or sisters shall be entitled to receive the same pension as such officer or other person would have been entitled to had he been totally disabled; which pension to said orphan shall commence from the death of the officer or other person dying as aforesaid, and shall continue to the said orphans until they severally arrive at the age of sixteen years, and no longer: *Provided, however,* That nothing herein shall be so construed as to entitle said orphans to more than one pension at the same time, under the provisions of this act: *And provided, further,* That no moneys shall be paid to the widow, or children, or any heirs of any deceased soldier on account of bounty, back pay, or pension, who have in any way been engaged in or who have aided or abetted the existing rebellion in the United States; but the right of such disloyal widow or children, heir or heirs of such soldier, shall be vested in the loyal heir or heirs of the deceased, if any there be.

Proviso.

No pension to be paid to disloyal persons.

Pensions, when to commence.

SEC. 5. *And be it further enacted,* That pensions which may be granted, in pursuance of the provisions of this act, to persons who may have been, or shall be, employed in the military or naval service of the United States, shall commence on the day of the discharge of such persons in all cases in which the application for such provisions is filed within one year after the date of said discharge; and in cases in which the application is not filed during said year, pensions granted to persons employed as aforesaid shall commence on the day of the filing of the application.

Fees of pension agents, &c.

SEC. 6. *And be it further enacted,* That the fees of agents and attorneys for making out and causing to be executed the papers necessary to establish a claim for a pension, bounty, and other allowance, before the Pension Office under this act, shall not exceed the following rates: For making out and causing to be duly executed a declaration by the applicant, with the necessary affidavits, and forwarding the same to the Pension Office, with the requisite correspondence, five dollars. In cases wherein additional testimony is required by the Commissioner of Pensions, for each affidavit so required and executed and forwarded (except the affidavits of surgeons, for which such agents and attorneys shall not be entitled to any fees,) one dollar and fifty cents.

Penalty for demanding or receiving greater compensation.

SEC. 7. *And be it further enacted,* That any agent or attorney who shall, directly or indirectly, demand or receive any greater compensation for his services under this act than is prescribed in the preceding section of this act, or who shall contract or agree to prosecute any claim for a pension, bounty, or other allowance under this act, on the condition that he shall receive a per centum upon, or any portion of the amount of such claim, or who shall wrongfully withhold from a pensioner or other claimant the whole or any part of the pension or claim allowed and due to such pensioner or claimant, shall be deemed guilty of a high misdemeanor, and upon conviction thereof shall, for every such offence, be fined not exceeding three hundred dollars, or imprisoned at hard labor not exceeding two years, or both, according to the circumstances and aggravations of the offence.

Commissioner of pensions may appoint civil surgeons to make biennial examinations.

SEC. 8. *And be it further enacted,* That the Commissioner of Pensions be, and he is hereby, empowered to appoint, at his discretion, civil surgeons to make the biennial examinations of pensioners which are or may be required to be made by law, and to examine applicants for invalid pensions, where he shall deem an examination by a surgeon to be appointed by him necessary; and the fees for each of such examinations, and the requisite certificate thereof, shall be one dollar and fifty cents, which fees shall be paid to the surgeon by the person examined, for which

he shall take a receipt, and forward the same to the Pension Office; and upon the allowance of the claim of the person examined, the Commissioner of Pensions shall furnish to such person an order on the pension agent of his State for the amount of the surgeon's fees.

SEC. 9. *And be it further enacted*, That the Commissioner of Pensions, on application made to him in person or by letter by any claimants or applicants for pension, bounty, or other allowance required by law to be adjusted and paid by the Pension Office, shall furnish such claimants, free of all expense or charge to them, all such printed instructions and forms as may be necessary in establishing and obtaining said claim; and in case such claim is prosecuted by an agent or attorney of such claimant or applicant, on the issue of a certificate of pension or the granting of a bounty or allowance, the Commissioner of Pensions shall forthwith notify the applicant or claimant that such certificate has been issued or allowance made, and the amount thereof.

Commissioner to furnish printed instructions, free of charge, &c.

SEC. 10. *And be it further enacted*, That the pilots, engineers, sailors, and crews upon the gunboats and war vessels of the United States, who have not been regularly mustered into the service of the United States, shall be entitled to the same bounty allowed to persons of corresponding rank in the naval service, provided they continue in service to the close of the present war; and all persons serving as aforesaid, who have been or may be wounded or incapacitated for service, shall be entitled to receive for such disability the pension allowed by the provisions of this act, to those of like rank, and each and every such person shall receive pay according to corresponding rank in the naval service: *Provided*, That no person receiving pension or bounty under the provisions of this act shall receive either pension or bounty for any other service in the present war.

Pilots, engineers, sailors, &c., of gunboats to have bounty, &c.

SEC. 11. *And be it further enacted*, That the widows and heirs of all persons described in the last preceding section who have been or may be employed as aforesaid, or who have been or may be killed in battle, or of those who have died or shall die of wounds received while so employed, shall be paid the bounty and pension allowed by the provisions of this act, according to rank, as provided in the last preceding section.

Widows and heirs to have bounty and pensions.

SEC. 12. *And be it further enacted*, That the Secretary of the Interior be, and he is hereby, authorized to appoint a special agent for the Pension Office, to assist in the detection of frauds against the pension laws, to cause persons committing such frauds to be prosecuted, and to discharge such other duties as said Secretary may require him to perform; which said agent shall receive for his services an annual salary of twelve hundred dollars, and his actual travelling expenses incurred in the discharge of his duties shall be paid by the government.

Special agent to detect frauds against the pension laws.

Salary.

SEC. 13. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

Repeal of inconsistent provisions.

APPROVED, July 14, 1862.

CHAP. CLXVII. — *An Act to establish certain Post-Roads.*

July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the bridge partly constructed across the Ohio River at Steubenville, in the State of Ohio, abutting on the Virginia shore of said river, is hereby declared to be a lawful structure: *Provided*, That when completed, if constructed without a draw, it shall leave an unobstructed headway in the channel of the river of not less than ninety feet above low-water mark, and such channel or water-way shall have an unobstructed width of not less than three hundred feet between the piers next to said channel or water-way; and one of the spans next adjoining thereto shall not be less than two hundred and

Bridge across the river at Steubenville, Ohio, declared a lawful structure. How to be completed.

twenty feet in length; or said bridge, if constructed with a draw, the same to be constructed under the limitations and conditions provided in the fourth section of this act.

Such bridge and Holliday's Cove railroad declared a public highway and post-road, &c.

Who may operate, &c., road and bridge.

Other railroad companies may bridge the Ohio River.

How such bridge may be built.

Height of span-bridge.

Drawbridge.

Draw to be opened promptly.

Such bridges to be lawful structures and post-routes.

Charges for transportation, &c.

Vessels on the Ohio, to regulate the use of pipes and chimneys so as not to interfere with such bridges.

SEC. 2. *And be it further enacted*, That the said bridge and Holliday's Cove railroad are hereby declared a public highway, and established a post-road for the purpose of transmission of mails of the United States, and that the Steubenville and Indiana Railroad Company, chartered by the legislature of the State of Ohio, and the Holliday's Cove Railroad Company, chartered by the State of Virginia, or either of them, are authorized to complete, maintain, and operate said road and bridge when completed, as set forth in the preceding section, anything in any law or laws of the above-named States to the contrary notwithstanding.

SEC. 3. *And be it further enacted*, That it shall be lawful for any other railroad company or companies, whose line or lines of road may now or shall hereafter be built to the Ohio River, above the mouth of the Big Sandy River, in accordance with the terms of the charter or charters of such company or companies, to build a bridge across said river for the more perfect connection of any such roads and for the passage of trains thereof, under the limitations and conditions hereafter provided.

SEC. 4. *And be it further enacted*, That any bridge erected under the privileges of this act may, at the option of the company or companies building the same, be built either as a drawbridge, with a pivot or other form of draw, or with unbroken and continuous spans: *Provided*, That if the said bridge shall be made with unbroken and continuous spans, it shall not be of less elevation than ninety feet above low-water mark over the channel of the said river; nor in any case less than forty feet above extreme high water, as understood at the point of location, measuring for such elevation to the bottom chord of the bridge; nor shall the span of such bridge, covering the main channel of the river, be less than three hundred feet in length, with also one of the next adjoining spans of not less than two hundred and twenty feet in length, and the piers of said bridge shall be parallel with the current of the river as near as practicable: *And provided, also*, That if any bridge built under this act shall be constructed as a drawbridge, the same shall be constructed with a span over the main channel of the river, as understood at the time of the erection of the bridge, of not less than three hundred feet in length, and said span shall not be less than seventy feet above low-water mark, measuring to the bottom chord of the bridge, and one of the next adjoining spans shall not be less than two hundred and twenty feet in length; and also that there shall be a pivot-draw constructed in every such bridge, at an accessible and navigable point, with spans of not less than one hundred feet in length, on each side of the central or pivot pier of the draw: *And provided, also*, That said draw shall always be opened promptly, upon reasonable signal, for the passage of boats whose construction may not, at the time, admit of their passing under the permanent spans of said bridge, except that said draw shall not be required to be opened when engines or trains are passing over said bridge, or when passenger trains are due, but in no case shall unnecessary delay occur in the opening of said draw after the passage of such engines or trains.

SEC. 5. *And be it further enacted*, That any bridge or bridges erected under the provisions of this act shall be lawful structures, and shall be recognized and known as post-routes, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and munitions of war of the United States, than the rate per mile which the company or companies erecting such bridge may from time to time receive on the balance of their line or lines for such services, and the officers and crews of all vessels, boats, or rafts navigating the said Ohio River are required to regulate the use of the said vessels and of any pipes or chimneys belonging thereto, so as not to interfere with the elevation,

construction, or use of any of the bridges erected or legalized under the provisions of this act.

APPROVED, July 14, 1862.

CHAP. CLXVIII. — *An Act to amend an Act, entitled "An act to prohibit the Sale of spirituous Liquors and intoxicating Drinks in the District of Columbia in certain Cases," approved, August fifth, eighteen hundred and sixty-one.*

July 14, 1862.

1861, ch. 44.
Ante, p. 291.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person offending against the provisions of the act entitled "An act to prohibit the sale of spirituous liquors and intoxicating drinks in the District of Columbia, in certain cases," approved August fifth, eighteen hundred and sixty-one, may be tried before any justice of the peace for the District of Columbia, and, upon conviction, shall pay a fine of twenty dollars, or, in default of such payment, shall be committed to the jail in Washington county, in the District of Columbia, for thirty days.

Persons accused of selling spirituous liquors, trial and sentence.

SEC. 2. *And be it further enacted,* That any person licensed, or who shall hereafter be licensed, to sell spirituous liquors, or intoxicating drinks within said District, who shall suffer or permit any soldier or volunteer in the service of the United States, or any person wearing the uniform of such soldier or volunteer, to drink any spirituous liquor, or intoxicating drink upon his premises shall be deemed guilty of the same offence mentioned in the act hereby amended, and upon conviction before any justice of the peace as aforesaid, shall be punished in the manner prescribed by this act.

Persons licensed permitting volunteers, &c., to drink spirituous liquors, &c., to be punished.

SEC. 3. *And be it further enacted,* That any person convicted under the provisions of this act, and the act hereby amended, shall forfeit his license to sell spirituous liquor, and intoxicating drink; and any license thereafter granted to any such person during the continuance of the existing rebellion shall be void.

Forfeiture of license.

SEC. 4. *And be it further enacted,* That all fines collected under the provisions of this act, and the act hereby amended, shall be paid to the levy court of Washington county, in the District of Columbia, for the use of said court.

Fines collected to be paid to levy court.

APPROVED, July 14, 1862.

CHAP. CLXIX. — *An Act to further provide for the Collection of the Revenue upon the Northern, Northeastern, and Northwestern Frontier, and for other Purposes.*

July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of October next, the master or manager of every vessel which is enrolled or licensed for carrying on the coasting trade on the northern, northeastern, and northwestern frontiers of the United States shall, before the departure of his vessel from any port, file a manifest of his cargo with the collector and obtain a clearance; and if said vessel shall touch at any of the ports of the United States, and there receive on board any goods, wares, or merchandise, or discharge any portion of her cargo, the master or manager shall report to the collector such arrival and produce his manifest, and it shall be the duty of the collector to endorse thereon, certified by himself, a description of the goods, wares, or merchandise so taken on board or unladen, and return the same to the master or manager, who shall deliver to the collector of the port at which the unloading of the cargo is completed, the manifest to be placed on file in his office. And the owner or owners of every vessel whose master or manager shall neglect to comply with the provisions of this section, shall forfeit and pay to the United States the sum of twenty dollars for each and every offence, one-half for the use of the informer, and for which sum the vessel shall be liable, and may be seized and proceeded against summarily by way of

Master, &c., of vessel enrolled and licensed for coasting trade on northern, &c., frontiers, to file manifest, &c.

Duty of master at other ports. Of collector at such ports.

Penalty for neglect.

libel in any district court of the United States having jurisdiction of the offence.

Blank manifests, &c., to be kept for sale by collectors, &c.

Price of blanks.

Goods under reciprocity treaty may be entered at any port on northern, &c., frontier, upon, &c.

Fees for such entry.

Special agents at ports opened in the States in insurrection.

1863, ch. 120, § 5. Post, p. 821.

Compensation.

SEC. 2. *And be it further enacted*, That collectors and surveyors of the collection districts on the said frontiers are authorized to keep on sale, at their several offices, blank manifests and clearances required for the business of their districts, and to charge the sum of ten cents and no more for each blank which shall be prepared and executed by them.

SEC. 3. *And be it further enacted*, That goods imported under the reciprocity treaty with Great Britain may be entered at any port on the northern, northeastern, and northwestern frontiers of the United States, upon satisfactory evidence being given to the collector at the port where such goods are offered for entry, that they are of the growth or production of Canada, without the consular certificate now required.

SEC. 4. *And be it further enacted*, That for every entry of goods at any custom-house on the northern, northeastern, and northwestern frontiers of the United States, a fee of forty cents shall be charged by the collector, and accounted for to the government.

SEC. 5. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized in all cases where ports may be opened within the limits of insurrectionary States, during the existing rebellion, to appoint special agents to perform the functions of the ordinary officers subordinate to the Treasury Department at such ports: *Provided*, That the compensation to be allowed such temporary officers shall not exceed that paid to permanent officers of the same position during the year eighteen hundred and fifty-nine, nor exceed the compensation ordinarily allowed to such official agents.

APPROVED, July 14, 1862.

July 14, 1862.

CHAP. CLXX.—*An Act in relation to the Election of Representatives to Congress by single Districts.*

Representatives in Congress to be elected by single districts.

This act not to apply to California.

Additional representative from Illinois may be elected from the State at large.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in each State entitled in the next and any succeeding Congress to more than one representative, the number to which such State is or may be hereafter entitled shall be elected by districts composed of contiguous territory, equal in number to the number of representatives to which said State may be entitled in the Congress for which said election is held, no one district electing more than one representative: *Provided*, That the provisions of this act shall not apply to the State of California so far as it may affect the election of representatives to the thirty-eighth Congress: *And provided, further*, That in the election of representatives to the thirty-eighth Congress from the State of Illinois, the additional representative allowed to said State by an act entitled "An act fixing the number of the House of Representatives from and after the third day of March, eighteen hundred and sixty-three, approved March fourth, eighteen hundred and sixty-two, may be elected by the State at large, and the other thirteen representatives to which the State is entitled by the districts as now prescribed by law in said State, unless the legislature of said State should otherwise provide before the time fixed by law for the election of representatives therein.

APPROVED, July 14, 1862.

July 14, 1862.

CHAP. CLXXI.—*An Act to establish additional Post Routes.*

Post routes established in

California.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads:

CALIFORNIA.

From Carson, Nevada Territory, to Aurora, California.

From Ione City, via Lancha Plana, Poverty Bar, Jenny Lind, Brushville, Salt Spring Valley, Copperopolis, O'Byen's Ferry, and Jefferson, to Sonora.

DELAWARE.

Delaware.

From Townsend, via Black Bird, to Deakynesville.

MASSACHUSETTS.

Massachusetts.

From Hancock to Lanesborough.

INDIANA.

Indiana.

From Grandview, via Newtonville, Buffaloville, Santa Claus, and Morgan Hill, to Ferdinand.

From Madison, via Brooksbury and Braytown to Mount Stirling, and thence via Howe and Mannible to Madison.

From Freedom, in Owen County in Indiana, by way of Arney, intersecting the present established route at Hauserville.

From Harrison, Ohio, to Mount Carmel, Indiana.

From Ogden to Rushville.

From Sullivan, via Merom, Indiana, and Palestine, Illinois, to Robinson, Illinois.

From New Point, (Rossburgh Post Office,) via Saint Maurice, to Clarksburgh.

From Waterloo City to Angola.

From Bremen, via Hepton and Millward, to Leesburgh.

ILLINOIS.

Illinois.

From Metamora, via Low Point and Washburn, to Lacon.

From Toulon, via Elmira, Osceola, and Neponset, to Sheffield.

From Shelbyville, via Holland, Accommodation, and Mowkinson, to Freemanton.

MAINE.

Maine.

From Wilton to Weld.

MICHIGAN.

Michigan.

From Frankfort, via Benzonia, to Traverse City.

From Ionia to Stanton.

From Middleville to Wayland.

From Miles, via Berrien Centre, Berrien Springs, Eau Claire, Pipestone, and Sodus, to Saint Joseph.

IOWA.

Iowa.

From Des Moines, Polk County, to Dalmanutha, Guthrie County.

From Decatur City, via Terre Houte, Decatur County, to Eagleville, Harrison County, Missouri.

MISSOURI.

Missouri.

From Perryville, via Brihle's Store and Stamer's Mill, to Greene.

From the old depot of the North Missouri Railroad Company, in First street, Saint Louis, via the railroad track, through blocks two hundred and thirty-four and two hundred and thirty-three, and along Lewis street, as the railroad has been located by the government of the United States, thence through block two hundred and twenty-seven, to Front or Levee street, and along said track laid on said street to the depots, respectively, of the Pacific and Iron Mountain railroads.

MARYLAND.

Maryland.

From Fallston to Pleasantville.

From Berkleyville to Hempstead.

New Hampshire.

NEW HAMPSHIRE.

From Union, via Wakefield, North Wakefield, Wolfborough, Ossipee, Ossipee Centre, and Effingham Falls, to Freedom.
From Greenfield, via Bennington, to Antrim.

New York.

NEW YORK.

From Bloomingdale to Brighton.

Ohio.

OHIO.

From Cherry Valley, via West Andover and Andover, Ohio, to Espyville, Pennsylvania.
From Cold Water to New Bremen.

Pennsylvania.

PENNSYLVANIA.

From Barnsville to Mahony City.
From Pine Grove, via Friedensburg, to Schuylkill Haven.
From Easton, via Martin's Creek, Boston, and Mount Bethel, to Dill's Ferry.
From Miltenberger's, via Philip Kresge's to Tannersville.
From Moscow, via Slose's Corners, Dalesville, and Springbrook, to Pittston.
From Centreville, via Bovard's Mills, to Annandale.
From Warfordsburg, via Mount Airy, Emmaville, and Cherry Grove, to Bloody Run.
From Brickerville, via Eberly's Store and Lincoln, to Ephrata, Lancaster County.

Vermont.

VERMONT.

From Barton Landing, via Coventry and Salem, to Newport.
From Chelsey to Williamstown.

Colorado.

COLORADO.

From Denver, via Burlington and Laporte, to Fort Larimie.
From Cache Creek, via Pencha Pass, to Conejos.
From Colorado City to Russellville.
From Pueblo, via Huerfano to Trinidad, on the Purgatorie.
From Cannon City, via the Arkansas Route and Pass, to Camp Crittenden, in Utah Territory.

Washington.

WASHINGTON.

From Walla-Walla to Fort Colville.
From Vancouver City to Walla-Walla.
From Fort Madison, via Muckeltre Atsalada, to Coveland.
APPROVED, July 14, 1862.

July 14, 1862.

CHAP. CLXXII.—*An Act concerning the Courts of the United States in and for the District of Michigan.*

Term of Federal Circuit Court at Detroit.

Provision for process, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the courts now provided by law to be held in the district of Michigan, a general term of the Circuit Court of the United States for said district of Michigan shall be held annually at the court room in the city of Detroit on the second Monday of February, and that all writs, bills, pleas, suits, appeals, recognizances, indictments, and all other proceedings, civil and criminal, shall be proceeded with at said term in like manner as now at the June and October terms of said court.

APPROVED, July 14, 1862.

CHAP. CLXXXIII. — *An Act to extend the territorial Limits of the Territory of Nevada.* July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the following limits, namely: beginning at the point of intersection of the forty-second degree of north latitude with the thirty-eighth degree of longitude west from Washington; thence running south on the said thirty-eighth degree of west longitude until it intersects the northern boundary line of New Mexico; thence due west to the thirty-ninth degree of longitude west from Washington; thence with said thirty-ninth degree north to the intersection of said forty-second degree of north latitude; thence east with said forty-second degree of north latitude to the place of beginning, be, and the same is hereby, attached to and made a part of the Territory of Nevada, subject to the limitations, restrictions, and provisions of the act organizing the Territory of Nevada.

Certain territory added to Nevada.
Boundaries.

APPROVED, July 14, 1862.

CHAP. CLXXXIV. — *An Act for changing the Place for holding the September Term of the District Court of the United States in the District of Maine.* July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District Court of the United States now held at Wiscasset, in the District of Maine on the first Tuesday of September of each year, be hereafter held at Bath, in said district, on the same day in each year.

Change of term of Federal District Court in Maine from Wiscasset to Bath.

SEC. 2. *And be it further enacted,* That all indictments, suits, informations, actions, proceedings, and recognizances of every kind, whether civil or criminal, shall have day in court, and be proceeded in, heard, tried, and determined in Bath, in the same manner and on the same day they might be in Wiscasset aforesaid.

Provision for process.

APPROVED, July 14, 1862.

CHAP. CLXXXV. — *An Act repealing the Law requiring Bonds of Paymasters and Assistant Paymasters to be approved by the Judge or Attorney of the District in which such Paymaster or Assistant Paymaster shall reside.* July 14, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the law requiring the official bond of a paymaster or assistant paymaster in the navy to be approved by the judge or attorney of the United States for the district in which such paymaster or assistant paymaster shall reside, be and the same is hereby repealed, and such bond shall be deemed and taken to be satisfactory and sufficient whenever the Secretary of the Navy shall be satisfied on such evidence as he shall consider proper, that such bond ought to be approved and accepted.

Official bond of paymasters and assistant paymasters to be approved by Secretary of Navy.

APPROVED, July 14, 1862.

CHAP. CLXXXVII. — *An Act to authorize the Secretary of the Navy to accept the Title to League Island, in the Delaware River, for Naval Purposes.* July 15, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to receive and accept from the city authorities of the city of Philadelphia the title to League Island, in the Delaware River, together with the marsh east of and adjacent thereto, within the First ward of the said city of Philadelphia, together with all riparian rights and privileges thereunto belonging and appertaining, to be used for naval purposes by the government of the United States: *Provided,* That said title shall not be accepted and received unless the same shall be perfect and indefeasible to the whole island to low-water mark; nor, if upon more thorough examination and survey of the premises by a

Perfect title to whole of League Island to low-water mark, may be accepted if, &c.

competent board of officers to be by him appointed, he shall discover that the public interests will not be promoted by acquiring the title as aforesaid.

Survey, &c. of harbor of New London to be made, and of the waters of Narragansett Bay to be made.

SEC. 2. *And be it further enacted*, That the board of officers to be appointed by the Secretary of the Navy, according to the provisions of the first section of this act, shall, before proceeding to any decision of the question hereinbefore referred to them, make a survey and examination of the harbor of New London, Connecticut, and its surroundings, with reference to its capacity and fitness for a naval depot and navy yard, and whether the public interests will not be promoted by establishing a naval depot and navy yard in or near said harbor of New London instead of League Island; and that they also make the same investigation in regard to the waters of Narragansett Bay.

APPROVED, July 15, 1862.

July 15, 1862.

CHAP. CLXXVIII. — *An Act to amend the Act of the third of March, 1837, entitled "An Act supplementary to the Act entitled 'An Act to amend the Judicial System of the United States.'"*

1837, ch. 34. Vol. v. p. 176. Post pp. 635, 807.

What districts constitute the fourth circuit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the districts of Maryland, Delaware, Virginia, and North Carolina shall constitute the fourth circuit; the districts of South Carolina, Georgia, Alabama, Mississippi, and Florida shall constitute the fifth circuit; the districts of Louisiana, Texas, Arkansas, Kentucky, and Tennessee shall constitute the sixth circuit; the districts of Ohio and Indiana shall constitute the seventh circuit; the districts of Michigan, Wisconsin, and Illinois shall constitute the eighth circuit, and the districts of Missouri, Iowa, Kansas and Minnesota shall constitute the ninth circuit; and the circuit courts in the districts heretofore included within any circuit of the United States, which by this act are attached to a different circuit, shall be held at the same times and places as are now prescribed by law, and the circuit courts in districts which by this act are for the first time attached to circuits shall be held at the same times and places as are now prescribed by law for holding the district courts in said districts, except in the district of Iowa, in which the circuit court shall be holden at the capital of the State on the second Tuesday in May and November of each year, at which times and place terms of the district court shall be holden: *Provided*, this act shall not interfere with the terms of said district court now provided by law for said district. The allotment of their chief justice and the associate justices of the said supreme court to the several circuits shall be made as heretofore.

The fifth circuit.

The sixth circuit.

The seventh circuit.

The eighth circuit.

The ninth circuit.

Times and places of holding circuit and district courts.

Repeal of acts giving certain district courts power, &c. of circuit courts.

SEC. 2. *And be it further enacted*, That so much of any act or acts of Congress as vests in the district courts of the United States for the districts of Texas, Florida, Wisconsin, Minnesota, Iowa, and Kansas, or either of them, the power and jurisdiction of circuit courts be, and the same is hereby, repealed; and there shall hereafter be circuit courts held for said districts by the chief or associate justices of the Supreme Court, assigned or allotted to the circuit to which said districts may respectively belong, and the district judges of such districts severally and respectively, either of whom shall constitute a quorum; which circuit courts, and the judges thereof, shall have like powers and exercise like jurisdiction as other circuit courts and the judges thereof; and the said district courts, and the judges thereof, shall have like powers and exercise like jurisdiction as the district courts, and the judges thereof, in the other circuits.

Circuit courts in such districts.

Post, p. 635.

Provision for pending process.

SEC. 3. *And be it further enacted*, That all actions, suits, prosecutions, causes, pleas, process, and other proceedings, relative to any cause, civil or criminal, (which might have been brought and could have been originally cognizable in a circuit court,) now pending in, or returnable to the several district courts of Texas, Florida, Wisconsin, Minnesota, Iowa, and Kansas, acting as circuit courts, (or so empowered to act,) on the first day of Oc-

tober next, shall be, and are hereby declared to be, respectively, transferred, returnable, and continued to the several circuit courts constituted by this act, to be holden within the said districts, respectively, and shall be heard, tried, and determined therein, in the same manner as if originally brought, entered, prosecuted, or had in such circuit courts. And the said circuit courts shall be governed by the same laws and regulations as apply to the other circuit courts of the United States; and the clerks of the said courts respectively shall perform the same duties, and shall be entitled to receive the same fees and emoluments which are by law established for the clerks of the other circuit courts of the United States.

Clerks and their fees.

SEC. 4. *And be it further enacted*, That all acts and provisions inconsistent with this act be, and the same are hereby, repealed.

Repeal of inconsistent provisions.

APPROVED, July 15, 1862.

CHAP. CLXXXIX. — *An Act to extend the Provisions of the Act of August four, eighteen hundred and fifty-two, entitled "An Act to grant the Right of Way to all Rail and Plank Roads, &c.," for the Term of five Years, and to amend the same.*

July 15, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act entitled "An act to grant the right of way to all rail and plank roads, and macadamized turnpikes passing through the public lands belonging to the United States," approved August four, eighteen hundred and fifty-two; and of the act extending the same to all of the public lands of the United States, approved March three, eighteen hundred and fifty-five, be, and the same are hereby, extended for the term of five years from the fourth day of August, eighteen hundred and sixty-two.

Provisions of acts. 1852, ch. 80. Vol. x. p. 28, and 1855, ch. 200. Vol. x. p. 683. Extended for five years.

SEC. 2. *And be it further enacted*, That the right of way for a railroad through the public lands of the United States lying in Wasco County in the State of Oregon, be, and the same is hereby, granted to the Oregon Steam Navigation Company.

Right of way granted to Oregon Steam Navigation Company.

APPROVED, July 15, 1862.

CHAP. CLXXX. — *An Act to prevent Members of Congress and Officers of the Government of the United States from taking Consideration for procuring Contracts, Office, or Place, from the United States, and for other Purposes.*

July 16, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any member of Congress or any officer of the government of the United States who shall, directly or indirectly, take, receive, or agree to receive, any money, property, or other valuable consideration whatsoever, from any person or persons for procuring, or aiding to procure, any contract, office, or place, from the government of the United States or any department thereof, or from any officer of the United States, for any person or persons whatsoever, or for giving any such contract, office, or place to any person whomsoever, and the person or persons who shall directly or indirectly offer or agree to give, or give or bestow any money, property, or other valuable consideration whatsoever, for the procuring or aiding to procure any contract, office, or place as aforesaid, and any member of Congress who shall directly or indirectly take, receive, or agree to receive any money, property, or other valuable consideration whatsoever after his election as such member, for his attention to, services, action, vote, or decision on any question, matter, cause or proceeding which may then be pending, or may by law or under the Constitution of the United States be brought before him in his official capacity, or in his place of trust and profit as such member of Congress, shall, for every such offence, be liable to indictment as for a misdemeanor in any court of the United States having jurisdiction thereof, and on conviction thereof shall pay a fine of not exceeding ten thousand dollars, and suffer imprisonment in the penitentiary not exceeding two years, at the discretion of the court trying the same; and any such contract or agree-

1863, ch. 61. Post, p. 696.

Penalty on members of Congress, &c. for taking consideration for procuring contracts, &c.

On persons who offer money, &c. to members to procure contracts.

ment, as aforesaid, may, at the option of the President of the United States, be absolutely null and void; and any member of Congress or officer of the United States convicted, as aforesaid, shall, moreover, be disqualified from holding any office of honor, profit, or trust under the government of the United States.

APPROVED, July 16, 1862.

July 16, 1862.

1861, ch. 62.
Ante, p. 320.

Act of 1861,
ch. 62, amended.

Property stolen,
&c. to be in cus-
tody of "property
clerk."

Register to be
kept.

When and how
such property
may be restored.

When to be sold
at public auction.

Horses and per-
ishable property.

CHAP. CLXXXI.—*An Act to amend an Act entitled "An Act to create a Metropolitan Police District of the District of Columbia, and to establish a Police therefor," approved August six, eighteen hundred and sixty-one.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to create a Metropolitan police district of the District of Columbia, and to establish a police therefor," approved August six, eighteen hundred and sixty-one, be, and the same is hereby, amended as follows:

SEC. 1. *And be it further enacted,* That all property, or money alleged or supposed to have been feloniously obtained, or which shall be lost or abandoned, and which shall be thereafter taken into the custody of any member of the Metropolitan police force, or criminal court of the District of Columbia, or which shall come into custody of any justice of the peace, shall be, by such member or justice, or by order of said court, given into the custody of and kept by an officer, who shall be appointed and may be removed by the Board of Police, known as "property clerk" of the Metropolitan police district, and all such property and money shall be particularly registered by said property clerk in a book kept for that purpose, which shall contain also a record of the names of the persons from whom such property or money was taken, the names of all claimants thereto, the time of the seizure, and any final disposition of such property and money.

Whenever property or money shall be taken from persons arrested, and shall be alleged to have been feloniously obtained, or to be the proceeds of crime, and whenever so brought with such claimant and the person arrested before some magistrate for adjudication, and the magistrate shall be then and there satisfied from evidence that the person arrested is innocent of the offence alleged, and that the property rightfully belongs to him, then said magistrate may thereupon, in writing, order such property or money to be returned, and the property clerk, if he have it, to deliver such property or money to the accused person himself, and not to any attorney, agent, or clerk of such accused person. If any claim to the ownership of such property or money shall be made on oath before the magistrate, by or in behalf of any other persons than the persons arrested, and the said accused person shall be held for trial or examination, such property or money shall remain in the custody of the property clerk until the discharge or conviction of the persons accused. All property or money taken on suspicion of having been feloniously obtained, or of being the proceeds of crime, and for which there is no other claimant than the person from whom such property was taken, and all lost property coming into the possession of any member of the said Metropolitan police force, and all property and money taken from pawnbrokers as the proceeds of crime, or by any such member from persons supposed to be insane, intoxicated, or otherwise incapable of taking care of themselves, shall be transmitted as soon as practicable to the property clerk of the Metropolitan police district, to be duly registered and advertised for the benefit of all persons and parties interested, and for the information of the public as to the amount and disposition of the property so taken into custody by the police. All property and

money that shall remain in the custody of the property clerk for the period of six months without any lawful claimant thereto, after having been three times advertised in public newspapers, shall be sold at public auction, and the proceeds of such sale shall be paid into the policemen's fund: *Provided,* That horses and other animals taken by the police and remaining

unclaimed for twenty days may be advertised and sold upon ten days' public notice, and all perishable property to be sold at once. If any property or money placed in the custody of the property clerk shall be desired as evidence in any police or other criminal court, such property shall be delivered to any officer who shall present an order to that effect from such court; such property, however, shall not be retained in said court, but shall be returned to said property clerk, to be disposed of according to the previous provisions of this act. And the annual compensation of said property clerk, as also the clerk (who shall hereafter be known as secretary of the board of police) shall be twelve hundred dollars each, payable monthly.

SEC. 2. *And be it further enacted,* That it shall be the duty of the Board of Metropolitan Police to set apart a sanitary police company, to consist of not exceeding ten persons, who shall be selected from among the police, and to assign to said company such especial duties, by the rules and regulations, as may be publicly advantageous; and also to appoint not exceeding three surgeons of police, who shall receive an annual compensation of three hundred dollars each, and discharge such duties as may be required of them by the board of police. The Metropolitan sanitary company is hereby empowered, under such distribution of power and duty as may be made by the rules and regulations, to visit and make inspection of all ferry-boats, manufactories, slaughter-houses, tenement-houses, and edifices suspected of, or charged with, being unsafe, and to attend to such other matters relating to health as are complained of and entered upon the complaint-book kept by order of the board, and to take all necessary legal measures for promoting the security of life or health generally, and upon or in said boats, manufactories, houses, and edifices, and to make report of inspection and action in the premises to the Board of Metropolitan Police. Whenever said board shall be satisfied, by such report, that any ferry-boat, manufactory, slaughter-house, tenement-house, or edifice is maintained, or that any other act is being about to be committed, in a manner prejudicial to the lives or health of the public, it shall, after due entry upon its minutes of the circumstances, cause complaint to be made, founded upon such report and circumstances, before any magistrate of the Metropolitan police district, who shall, in a summary way, upon such complaint made under oath, issue his proper warrant, reciting therein the name of the member or members of the Metropolitan sanitary police company, for the arrest of the person in charge of said ferry-boat, manufactory, slaughter-house, tenement-house, and edifice, or otherwise committing any act that may be derogatory to the public health, to the end that he may be brought before such magistrate, and the complaint of insecurity of the life or health of the public so made be duly investigated according to the law of examination into misdemeanors. If said magistrate shall be satisfied, on a summary hearing thereof, that such charge of insecurity of the lives or health of the public is founded on reasonable and probable cause, he may, by his order in writing, command any such ferry-boat to cease running, or any business in such manufactory or slaughter-house to cease, or impose such fine as by law may be attached to such offence upon the person so offending, until the cause of complaint aforesaid shall be removed to the satisfaction of the Board of Metropolitan Police.

SEC. 3. *And be it further enacted,* That if any member of the Metropolitan police force, or if any two or more house-holders shall report in writing, under his or their signature, to the superintendent of the Metropolitan police force that there are good grounds (and stating the same) for believing any house, room, or premises within the said Metropolitan police district to be kept or used as a common gaming house, common gaming room, or common gaming premises, for therein playing for wagers of money at any game of chance, or to be kept or used as a bawdy house, or for lewd and obscene public amusement or entertainment, or as a house

When property is desired as evidence.

Pay of property clerk and of secretary of board of police.
Sanitary police company.

Surgeons of police.

Power of sanitary company.

Proceedings where there is danger to the health or safety of the public.

Search, &c., of houses believed to be kept as common gaming houses, houses of prostitution, &c.

of prostitution, or for purposes of prostitution, or the deposit or sale, of lottery tickets or of lottery policies, it shall be lawful for the superintendent of Metropolitan police to authorize any member or members of the police force to enter the same, who shall forthwith arrest all persons there found offending against law, and seize all implements of gaming, or lottery tickets, or lottery policies, and convey any person so arrested before the nearest police magistrate, and bring the articles so seized to the office of the Board of Metropolitan Police. It shall be the duty of the said superintendent of the Metropolitan police force to cause such arrested persons to be rigorously prosecuted, such articles seized to be destroyed, and such room or house to be closed, and not used again for such unlawful purposes.

Pawnbrokers,
and doubtful es-
tablishments.

SEC. 4. *And be it further enacted*, That the Board of Metropolitan Police shall possess powers of general police supervision and inspection over all licensed pawnbrokers, licensed venders, licensed hackman and cartmen, dealers in second-hand merchandise, intelligence office keepers, auctioneers of watches and jewelry, and suspected private banking houses, and other doubtful establishments within the said Metropolitan police district; and in the exercise and furtherance of said supervision may, from time to time, empower members of the police force to fulfil such special duties in the aforesaid premises as may be ordained by the Board of Metropolitan Police. The said board may direct the superintendent to empower any member of the Metropolitan police force, whenever such member shall be in search of property feloniously obtained, or in search of suspected offenders, to examine the books of any pawnbroker or his business premises, or the business premises of any licensed vender or dealer in second-hand merchandise, or intelligence office keeper, or auctioneer of watches and jewelry, or suspected private banking house, or other doubtful establishment. Any such member of the Metropolitan police, when thereto authorized in writing by the said superintendent, and having in his possession a pawnbroker's receipt or ticket, shall be allowed to examine the property purporting to be pawned or pledged, or deposited upon said receipt or ticket, in whosoever possession said property may be; but no such property shall be taken from the possessor thereof without due process or authority of law. Any wilful interference with said superintendent of police, or with any member of the Metropolitan police force, by any of the persons hereinbefore named in this section, whilst in official and due discharge of duty, shall be punishable as a misdemeanor.

Stations, sta-
tion houses, &c.

SEC. 5. *And be it further enacted*, That the Board of Metropolitan Police may, from time to time, but without expense to the United States, establish stations and station houses, or sub-stations and sub-station houses, at least one to each precinct, for the accommodation thereof of members of the police force, and as temporary places of detention for persons arrested and property taken within the precinct. No person holding office under this act, or the act to which this is an amendment, shall be liable to military or jury duty, nor to arrest on civil process, or to service of subpoenas from civil courts whilst actually on duty. The members of the board of police, the superintendent, and secretary, are hereby vested with all the powers conferred by law upon notaries public and justices of the peace in the District of Columbia. The members of the board of police, and of the police force of the said Metropolitan police district, shall possess in every part of the District of Columbia all the common law and statutory powers of constables, except for the service of civil process and for the collection of strictly private debts, in which designation fines imposed for the breach of corporation ordinances shall not be included; but the said Board of Metropolitan Police shall not enforce any law or ordinance discriminating between persons in the administration of justice.

Privileges and
powers of the po-
lice and of the
board of police.

Justices for
station houses.

SEC. 6. *And be it further enacted*, That the said board of police shall have power, and it shall be their duty, from time to time, to select and

employ from among the duly appointed and qualified justices of the peace for the county of Washington such justice or justices as may be required and as it may deem proper, to sit at the respective station houses for the hearing of such charges as may be brought against persons arrested and carried to said station houses ; and every person who shall be sentenced to pay a fine and costs, or either, shall satisfy the same before being released by payment or by giving security to the satisfaction of the justice imposing such fine and costs. And when such security shall be taken the justice shall be held personally liable to said Board of Police for the amount of the fine and costs to be collected of him as a debt due and payable.

Fine and costs, when justices personally responsible therefor.

1863, ch. 106, § 12.
Post, p. 803.

SEC. 7. *And be it further enacted*, That no member of the Metropolitan police force, under penalty of forfeiting the salary or pay which may be due to him, shall withdraw or resign, except by permission of the Board of Metropolitan Police, unless he shall have given to the superintendent one month's notice, in writing, of such intention. There shall be no limitation or restriction of place of residence to any member of the Metropolitan police force, other than residence within the Metropolitan police district, and it shall be the duty of said board of police to cause the location of the patrolmen to be changed from time to time, as the efficiency of the force shall require.

Members of police force not to resign without notice.

Residence.

SEC. 8. *And be it further enacted*, That the said board of police may appoint not exceeding six detectives, who shall receive a monthly compensation of seventy dollars each.

Detectives.

SEC. 9. *And be it further enacted*, That the board of police, for meritorious and extraordinary services rendered by any member of the police force, in the due discharge of his duty, may permit any member of the police force to retain for his own benefit any reward or present tendered him therefor; and it shall be cause of removal from the Metropolitan police force for any member thereof to receive any such reward or present without notice thereof to the Board of Metropolitan Police. Upon receiving said notice, the said board may either order the said member to retain the same, or shall dispose of it for the benefit of the policemen's fund. All fines imposed by the board of police upon members of the Metropolitan police force, by way of discipline, and collectable from pay or salary, and all rewards, fees, proceeds of gifts, and emoluments, that may be paid and given for account of extraordinary services of any member of the Metropolitan police force, (except when allowed to be retained by said member,) shall be paid to the treasurer of the Board of Metropolitan Police, unless otherwise appropriated by the board of police.

Rewards and presents.

Fines imposed for discipline.

SEC. 10. *And be it further enacted*, That the several members of the police force, including the commissioners of police, shall have power and authority to immediately arrest without warrant, and to take into custody any person who shall commit, or threaten or attempt to commit, in the presence of such member, or within his view, any breach of the peace or offence directly prohibited by act of Congress, or by any ordinance of the city or county within which the offence is committed, threatened, or attempted; but such member of the police force shall immediately and without delay upon such arrest convey in person such offender before the nearest magistrate, that he may be dealt with according to law.

When police may arrest without warrant.

SEC. 11. *And be it further enacted*, That for the better exercise of the powers and duties hereinbefore enumerated, the board of police is hereby authorized immediately, and from time to time hereafter, but without expense to the United States, to cause to be collected into a compact form all the laws and ordinances in force in the said District having relation and applicable to police and health, and publish the same in a form easily accessible to all members of the community, as the police code of the said District; and the said code so prepared, and such rules as the said board of police may from time to time adopt for the purpose of enforcing

Police code for the District.

and carrying out the provisions thereof shall constitute the law of the said District upon the matters therein contained. All laws, or parts of laws inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, July 16, 1862.

July 16, 1862.

CHAP. CLXXXII.—*An Act making supplemental Appropriations for sundry Civil Expenses of the Government for the Year ending June thirtieth, eighteen hundred and sixty-three, and for the Year ending June thirtieth, eighteen hundred and sixty-two, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the objects hereinafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three, viz.:

Appropriation for 1863.

Pay, &c., of witnesses in the impeachment case.

For mileage and per diem compensation to witnesses, and other incidental expenses of the High Court of Impeachment in the case of West H. Humphreys, Judge of the District Court of the United States for the State of Tennessee, ten thousand dollars.

Laborers.

For laborers employed about the Hall of Representatives, one thousand dollars.

Custom-house and post office at Bangor.

For repairing custom-house and post office at Bangor, Maine, six thousand dollars.

Clerk to committee on public lands.

For salary of clerk to committee on public lands authorized by resolution of the House of Representatives of May twenty-seventh, eighteen hundred and sixty-two, eighteen hundred dollars, said salary to commence with the date of said resolution, and the sum herein mentioned shall be the amount of his salary annually.

Lafayette Square.

For painting iron fence around Lafayette Square, and in front of the President's House, one thousand dollars.

Emancipation and colonization. 1862, ch. 54. *Ante*, p. 376. 1862, ch. 195. *Post*, p. 589.

To enable the President to carry out the act of Congress for the emancipation of the slaves in the District of Columbia, and to colonize those to be made free by the probable passage of a confiscation bill, five hundred thousand dollars, to be repaid to the treasury out of confiscated property, to be used at the discretion of the President in securing the right of colonization of said persons made free, and in payment of the necessary expenses of their removal.

Clerk hire in land office at Des Moines.

For clerk hire in the consolidated land office at Des Moines, Iowa, to be disbursed by the register at a rate not exceeding three dollars per day, from the thirty-first day of December, eighteen hundred and sixty-one, to the thirtieth of June, eighteen hundred and sixty-three, one thousand six hundred and thirty-eight dollars.

Commissioner to codify the laws of the District of Columbia. 1862, ch. 79. *Ante*, p. 403.

Repealing clause.

For the pay of a commissioner and incidental expenses, under the "Act for the codification and revision of the laws of the District of Columbia," approved May twentieth, eighteen hundred and sixty-two, the sum of three thousand dollars. And so much of the above recited act as authorizes the appointment of more than one commissioner be, and the same is hereby, repealed.

Reports of Supreme Court of the United States.

SEC. 2. *And be it further enacted,* That the appropriations heretofore made for furnishing the Department of State with Howard's Reports of the Supreme Court of the United States, be applied to Reports of the Supreme Court of the United States, under whatsoever name published.

Salary of Assistant Secretary of Treasury. *Ante*, p. 282.

Appropriations for 1862.

SEC. 3. *And be it further enacted,* That the salary of the Assistant Secretary of the Treasury shall be the same as the Assistant Secretary of the Navy, to commence with the present fiscal year.

SEC. 4. *And be it further enacted,* That the following sums be, and the same are hereby, appropriated for the objects hereinafter expressed, for the year ending thirtieth of June, eighteen hundred and sixty-two, viz.:

Library of Congress.

For coal and firemen to warm the Library of Congress, on account of

a deficiency, for the fiscal year ending June thirtieth, eighteen hundred and sixty-two, and for the present fiscal year, twelve hundred dollars.

For the fund of the Patent Office, fifty thousand eight hundred and fifty-five dollars and forty-nine cents, to supply a deficiency existing under the act of March second, eighteen hundred and sixty-one, entitled, "An act in addition to an act to promote the progress of the useful arts." *Provided*, That the fourteenth section of said act be, and the same is hereby, repealed.

To supply deficiencies in the appropriation for rent of Surveyor-General's office in California, fuel, books, stationery, and pay of messenger, two thousand dollars.

For service on such of the routes authorized by the "Act establishing additional post routes," as in the opinion of the Post Office Department may be necessary, ten thousand dollars.

For expenses in carrying into effect the treaty with Great Britain for the suppression of the slave trade, the sum of fifteen thousand dollars, or so much thereof as may be necessary.

SEC. 5. *And be it further enacted*, That the office of clerk in charge of unfinished surveys in the General Land office, under act of twenty-second January, one thousand eight hundred and fifty-three, be, and the same is hereby, abolished, and the duties thereof shall be transferred to the principal draughtsman of the General Land Office, or such other clerk as the commissioner of said office may designate.

SEC. 6. *And be it further enacted*, That the sum of fifteen thousand dollars be appropriated, out of any money in the treasury not otherwise appropriated, for the purchase of artificial limbs for soldiers and seamen disabled in the service of the United States, to be expended under the direction of the Surgeon-General.

APPROVED, July 16, 1862.

CHAP. CLXXXIII. — *An Act to establish and equalize the Grade of Line Officers of the United States Navy.* July 16, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the active list of line officers of the United States navy shall be divided into nine grades, taking rank according to the date of their commissions in each grade, as follows, viz.:

- First. Rear Admirals.
- Second. Commodores.
- Third. Captains.
- Fourth. Commanders.
- Fifth. Lieutenant Commanders.
- Sixth. Lieutenants.
- Seventh. Masters.
- Eighth. Ensigns.
- Ninth. Midshipmen.

SEC. 2. *And be it further enacted*, That the number of officers allowed to each grade shall not exceed nine rear admirals, eighteen commodores, thirty-six captains, seventy-two commanders, one hundred and forty-four lieutenant commanders, one hundred and forty-four lieutenants, one hundred and forty-four masters, and one hundred and forty-four ensigns.

SEC. 3. *And be it further enacted*, That the vessels of the United States navy shall be divided into four classes, to be commanded, as near as may be, as follows;

- First rates, by commodores.
- Second rates, by captains.
- Third rates, by commanders.
- Fourth rates, by lieutenant commanders.

Deficiency in Patent Fund. 1861, ch. 88. *Ante*, p. 246.

Repeal of § 14. *Ante*, p. 249.

Office of Surveyor-General in California.

Additional post routes. 1862, ch. 171. *Ante*, p. 572.

Treaty for suppression of slave trade.

Post, p. 1225.

Clerkship of unfinished surveys in land office abolished.

1853, ch. 24.

Vol. x. p. 152.

Purchase of artificial limbs for disabled seamen and soldiers.

Grades in the navy established.

Number of officers in each grade.

Vessels divided into four classes. How to be commanded.

Lieutenant commanders may be assigned as first lieutenants of naval stations and of vessels not commanded by lieutenant commanders.

Advisory board
on promotions.

SEC. 4. *And be it further enacted*, That the Secretary of the Navy shall appoint an advisory board of not less than three officers, senior to those to be reported upon, who shall carefully scrutinize the active list of line officers above, and including the grade of masters in the line of promotion, and report to him in writing those who, in the opinion of the board, are worthy of further promotion in the following words: We hereby certify that ——— has the moral, mental, physical, and professional qualifications to perform efficiently all his duties, both at sea and on shore, of the grade to which he is to be promoted, and recommend him for promotion.

Certificates.

Commissions
to issue.

SEC. 5. *And be it further enacted*, That the officers recommended shall be immediately commissioned, according to their present seniority, in the following grades and numbers, viz.: eighteen commodores, thirty-six captains, seventy-two commanders, one hundred and forty-four lieutenant commanders, one hundred and forty-four lieutenants, one hundred and forty-four masters, and one hundred and forty-four ensigns: *Provided*, That this number of officers remain upon the active list after the action of the board, otherwise so soon as the graduates from the Naval Academy are available for promotion.

Proviso.

Advisory board
to be appointed
every four years.

SEC. 6. *And be it further enacted*, That a similar advisory board shall be appointed at least once in every four years: *Provided*, That the same officers shall not be eligible for two successive terms.

Rear admirals,
from whom and
how appointed.

SEC. 7. *And be it further enacted*, That nine rear admirals may be appointed by the President, by and with the advice and consent of the Senate, who shall be selected, during war, from those officers upon the active list not below the grade of commanders, who have distinguished themselves, or shall hereafter most eminently distinguish themselves by courage, skill, and genius, in their profession: *Provided*, That no officer shall be promoted to this grade unless, upon recommendation of the President, by name, he has received the thanks of Congress for distinguished service. During times of peace vacancies to this grade shall be filled by regular promotion from the list of commodores, subject to examination as aforesaid.

Certain officers
not to be retired
until after fifty-
five years of na-
val service.

SEC. 8. *And be it further enacted*, That whenever, upon the recommendation of the President of the United States, any officer of the navy now upon the active list, not below the grade of commander, has received, or shall receive, by name, during the present war, a vote of thanks of Congress for distinguished service, such officer shall not be retired except for cause until he has been fifty-five years in the naval service of the United States.

Officers on na-
vy and marine
corps may be
advanced one
grade, if, &c.

SEC. 9. *And be it further enacted*, That any line officer of the navy or marine corps may be advanced one grade, if, upon recommendation of the President, by name, he receives the thanks of Congress for highly distinguished conduct in conflict with the enemy, or for extraordinary heroism in the line of his profession.

When acting
volunteer lieu-
tenants, &c., may
be placed in the
line of promotion.
1861, ch. 13.

SEC. 10. *And be it further enacted*, That any person who shall have received or shall hereafter receive a temporary appointment as acting volunteer lieutenant or acting master in the navy from civil life authorized by the act of Congress of July twenty-four, eighteen hundred and sixty-one, may be confirmed in said appointment in the navy, and placed in the line of promotion from the date of said confirmation, if, upon the recommendation of the President, he receives the thanks of Congress for highly meritorious conduct in conflict with the enemy: *Provided*, The number of officers allowed in each grade by this act shall not be increased thereby. Seamen distinguishing themselves in battle, or by extraordinary heroism in the line of their profession, may be promoted to forward warrant officers, or acting masters' mates, as they may be best

Limit to num-
ber.

Seamen may
be made warrant
officers, &c., for

qualified, upon the recommendation of their commanding officer, approved by the flag-officer and the department. Upon such promotion they shall receive a gratuity of one hundred dollars and a medal of honor to be prepared by the Navy Department.

SEC. 11. *And be it further enacted*, That the students at the Naval Academy shall be styled midshipmen and until their final graduating examination, when, if successful, they shall be commissioned ensigns, ranking according to merit. The number allowed at the academy shall be two for every member and delegate of the House of Representatives, two for the District of Columbia, and ten at large. They shall be between the ages of fourteen and seventeen, physically sound and well formed, and of robust constitution. They shall be examined for admittance into the academy according to the regulations which shall be issued by the Secretary of the Navy, and if rejected shall not have the privilege of another examination for admission to the same class, unless recommended by the board of examiners. The President shall select the two from the District of Columbia and the ten at large, and the President shall also be allowed three yearly appointments of midshipmen, who shall be not over eighteen years of age, who shall be selected from boys enlisted in the navy, and who have been at least one year in the service, six months of which shall have been sea service. From and after the fifth of March, eighteen hundred and sixty-three, the nomination of candidates for admission into the Naval Academy shall be made between the fifth of March and the first of July of each year upon the recommendation of the member or delegate, from actual residents of his district, and they shall be examined for admission in July: *Provided*, That when any candidate who has been so nominated shall upon examination be found physically or mentally disqualified for admission the member or delegate from whose district he was so nominated shall be notified to recommend another candidate who shall be examined in September following. And it shall be the duty of the Secretary of the Navy, as soon after the fifth of March as possible, to notify, in writing, each member and delegate of any vacancy that may exist in his district; and if said member or delegate neglects to recommend a candidate by the first of July in that year, then it shall be the duty of the Secretary of the Navy to fill the vacancy. Midshipmen deficient at any examination shall not be continued at the academy; nor shall any officer of the navy who has been dismissed by sentence of a court-martial, or suffered to resign to escape one, ever again become an officer of the navy: *Provided, however*, That no greater number of midshipmen shall be appointed by the President at large under this or any other law of Congress than shall be allowed by the provisions of this section.

SEC. 12. *And be it further enacted*, That the three senior rear admirals shall wear a square blue flag at the mainmast head; the next three at the foremast head; and all others at the mizen.

SEC. 13. *And be it further enacted*, That the relative rank between officers of the navy and the army shall be as follows, lineal rank only to be considered:

- Rear Admirals with major generals.
- Commodores with brigadier generals.
- Captains with colonels.
- Commanders with lieutenant colonels.
- Lieutenant commanders with majors.
- Lieutenants with captains.
- Masters with first lieutenants.
- Ensigns with second lieutenants.

SEC. 14. *And be it further enacted*, That there may be allowed upon the retired list nine rear admirals and eighteen commodores. The rear

heroism, and receive gratuity and a medal.

Students at Naval Academy. Style.

Number and how selected.

Age.

Examination.

Three may be appointed from enlisted boys.

Appointments after March 5, 1863, how made.

If deficient at any examination, not to continue, unless, &c.

Navy officers dismissed by court-martial not to be reinstated.

Flag of rear admirals. [Repealed, Post, p. 769.]

Relative rank of army and navy officers.

Admirals and commodores on retired list.

admirals shall be selected by the President, by and with the advice and consent of the Senate, from those captains who have given the most faithful service to their country. The eighteen commodores shall be recommended from the list of captains by an advisory board of admirals. After the above numbers are commissioned, promotion to those grades upon the retired list shall be by seniority, subject to an advisory board.

Pay on active list of

SEC. 15. *And be it further enacted*, That from and after the passage of this act the annual pay of the several ranks and grades of officers of the navy on the active list, hereinafter named, shall be as follows :

- Rear admirals. Rear admirals, when at sea, shall receive five thousand dollars ;
When on shore duty, four thousand dollars ;
When on leave of absence, or waiting orders, three thousand dollars.
- Commodores. Commodores, when at sea, shall receive four thousand dollars ;
When on shore duty, three thousand two hundred dollars ;
When on leave of absence, or waiting orders, two thousand four hundred dollars.
- Captains. Captains, when at-sea, shall receive three thousand five hundred dollars ;
When on shore duty, two thousand eight hundred dollars ;
When on leave of absence, or waiting orders, two thousand one hundred dollars.
- Commanders. Commanders, when at sea, shall receive two thousand eight hundred dollars ;
When on shore duty, two thousand two hundred and forty dollars ;
When on leave of absence, or waiting orders, one thousand six hundred and eighty dollars.
- Lieutenant commanders. Lieutenant commanders, when at sea, shall receive two thousand three hundred and forty-three dollars ;
When on shore duty, one thousand eight hundred and seventy-five dollars ;
When on leave of absence, or waiting orders, one thousand five hundred dollars.
- Lieutenants. Lieutenants, when at sea, shall receive one thousand eight hundred and seventy-five dollars ;
When on shore duty, one thousand and five hundred dollars ;
When on leave of absence, or waiting orders, one thousand two hundred dollars.
- Masters. Masters, when at sea, shall receive one thousand five hundred dollars ;
When on shore duty, one thousand two hundred dollars ;
When on leave of absence, or waiting orders, nine hundred and sixty dollars.
- Ensigns. Ensigns, when at sea, shall receive one thousand two hundred dollars ;
When on shore duty, nine hundred and sixty dollars ;
When on leave of absence, or waiting orders, seven hundred and sixty-eight dollars.
- Midshipmen. Midshipmen shall receive five hundred dollars.

Increased pay of higher grade, from what date to be allowed in certain cases.

SEC. 16. *And be it further enacted*, That whenever any officer of the navy, of a class subject by law or regulation to examination before promotion to a higher grade, shall have been absent on duty at the time when he should have been examined, and shall have been found qualified at a subsequent examination, the increased rate of pay to which he may be entitled shall be allowed to him from the date when he would have received it had he been found qualified at the time when his examination should have taken place.

Sea service of boatswains, &c., how computed.

SEC. 17. *And be it further enacted*, That in calculating the graduated pay of boatswains, gunners, carpenters, and sailmakers in the navy, as established by law, the sea service shall be computed from the dates of their appointments or entry into the service in their respective grades in lieu of the dates of their warrants.

SEC. 18. *And be it further enacted*, That the Secretary of the Navy be,

and he hereby is, authorized to assign clerks and laborers attached to one bureau to duty in another, and also to detail a surgeon or assistant surgeon, or passed assistant surgeon, as assistant to the Bureau of Medicine and Surgery, who shall receive the highest shore pay of his grade.

Duty of clerks, &c.

Assistant to Bureau of Medicine, &c.

SEC. 19. *And be it further enacted*, That all officers while at sea, or attached to a sea-going vessel, shall be allowed one ration.

Rations.

SEC. 20. *And be it further enacted*, That the relative rank between officers of the navy and army on the retired list shall be the same as on the active list, and the annual pay of retired naval officers shall be as follows, viz :

Relative rank of officers of army and navy on retired list. Pay.

Admirals, two thousand dollars.

Commodores, eighteen hundred dollars.

Captains, sixteen hundred dollars.

Commanders, fourteen hundred dollars.

Lieutenant commanders, thirteen hundred dollars.

Lieutenants, one thousand dollars.

Masters, eight hundred dollars.

Ensigns, five hundred dollars.

And no ration shall be allowed to any officers of the navy on the retired list. And the pay of all naval officers appointed by virtue of an act entitled "An act to provide for the temporary increase of the navy," approved July twenty-fourth, eighteen hundred and sixty-one, shall be the same as that of officers of a like grade in the regular navy.

No ration.

Pay of officers under act 1861, ch. 13.

Ante, p. 272.

APPROVED, July 16, 1862.

CHAP. CLXXXIV. — *An Act to amend an Act entitled "An Act to further promote the Efficiency of the Navy," approved December twenty-first, eighteen hundred and sixty-one.*

July 16, 1862.

1862, ch. 1, § 8. *Ante*, p. 330.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section eight of an act to further promote the efficiency of the navy, approved December twenty-first, eighteen hundred and sixty-one, be amended so as to read as follows: That the hours of labor and the rate of wages of the employees in the navy yards shall conform, as nearly as is consistent with the public interest, with those of private establishments in the immediate vicinity of the respective yards, to be determined by the commandants of the navy yards, subject to the approval and revision of the Secretary of the Navy.

Hours of labor and rates of wages at navy yards.

APPROVED, July 16, 1862.

CHAP. CLXXXV. — *An Act transferring the Western Gunboat Fleet from the War to the Navy Department.*

July 16, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the western gunboat fleet constructed by the War Department for operations on the western waters shall be transferred to the Navy Department, which will be hereafter charged with the expense of its repair, support, and maintenance: *Provided*, That all vessels now under construction or repair by authority of the War Department shall be completed and paid for under the authority of that department from appropriations made for that purpose.

Western gunboat fleet transferred to Navy Department.

Certain vessels, how to be completed and paid for.

SEC. 2. *And be it further enacted*, That this act shall take effect and be in force from and after its passage.

When act takes effect.

APPROVED, July 16, 1862.

CHAP. CLXXXVI. — *An Act to enlarge the Lake Superior Land District, in the State of Michigan.*

July 16, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that portion of the

Part of "Cheboygan District" added to "Lake Superior District."

present "Cheboygan District," in the State of Michigan, lying west of Lake Michigan and south of the line dividing townships forty-one and forty-two north, including Saint Martin's and the adjacent islands near the entrance to "Big Bay De Noc," now forming a part of the present Cheboygan district, and subject to sale at Traverse City, in said State, be, and the same is hereby, attached to the "Lake Superior District," and the lands therein be subject to sale and entry at the site of the land office for said district.

When act to take effect.

SEC. 2. *And be it further enacted*, That this act shall not take effect until three months after the date of its approval.

APPROVED, July 16, 1862.

July 16, 1862.

CHAP. CLXXXVII.— *An Act to impose an additional Duty on Sugars produced in the United States.*

Increased duty of certain sugars.

1862, ch. 119.
Ante, p. 463.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the duties imposed by the act entitled "An act to provide internal revenue to support the government, and to pay interest on the public debt," approved July first, eighteen hundred and sixty-two, on all brown muscovado or clarified sugars produced directly from the sugar cane, there shall be levied, collected, and paid, under the provisions of said act, upon all such sugars produced in the United States, a duty of one cent per pound; and such additional duty and the duty specified in the act aforesaid shall be levied, collected, and paid [on] all such sugars, not manufactured for consumption in the family of the producer, in the hands of the producer or manufacturer thereof or of his agent or factor, on the day of the approval of this act by the President: *Provided*, That within States or parts of States declared to be in insurrection the said duties may be collected in such manner and by such officers as the President may direct until the insurrection so declared shall cease or have been suppressed.

This act not to apply to sugar from sorghum.

SEC. 2. *And be it further enacted*, That the provisions of this act shall not apply to sugar manufactured from sorghum.

APPROVED, July 16, 1862.

July 16, 1862.

CHAP. CLXXXVIII. — *An Act to punish the fraudulent Sale or Use of Postage Stamps.*

Penalty for fraudulent sale or use of postage stamps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person who shall wilfully remove or cause to be removed from any postage stamp or stamped envelope the cancelling or defacing marks thereon, with intent to use the same or cause the use of the same the second time, or shall knowingly or wilfully sell or buy such washed or restored stamps, or offer the same for sale, or give or expose the same to any person for use, or knowingly use the same, or prepare the same with intent for the second use thereof, every such person shall, upon conviction thereof, be adjudged guilty of felony, and shall be punished by imprisonment not exceeding three years or by fine not exceeding one thousand dollars, or by both imprisonment and fine as aforesaid; and one half such fine, when collected, shall be paid to the informer.

APPROVED, July 16, 1862.

July 16, 1862.

CHAP. CLXXXIX. — *An Act in Relation to the Competency of Witnesses, and for other Purposes.*

Competency of witnesses in the Federal courts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the laws of the State in which the court shall be held shall be the rules of decision as to the com-

petency of witnesses in the courts of the United States, in trials at common law, in equity, and admiralty.

SEC. 2. *And be it further enacted*, That so much of section twenty-nine of an act entitled "An act to establish [the] judicial courts of the United States," approved September twenty-four, seventeen hundred and eighty-nine, as requires, in cases punishable with death, twelve petit jurors to be summoned from the county where the offence was committed, be, and the same is hereby, repealed.

Jurors in capital cases.
1739, ch. 20, § 29.
Vol. i. p. 88.

APPROVED, July 16, 1862.

CHAP. CXC. — *An Act prohibiting the Confinement of Persons in the Military Service of the United States in the Penitentiary of the District of Columbia, except as a Punishment for certain Crimes, and to discharge therefrom certain Convicts by Sentence of Courts-martial, and for other Purposes.*

July 16, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter no person in the military service of the United States, convicted and sentenced by a court-martial, shall be punished by confinement in the penitentiary of the District of Columbia, unless the offence of which such person may be convicted would by some statute of the United States or at common law, as the same exists in the said District, subject such convict to said punishment.

When persons in military service may be confined in penitentiary.

SEC. 2. *And be it further enacted*, That all such persons in the military service, as aforesaid, who have heretofore been, or may hereafter be, convicted and sentenced by a court-martial for any offence which, if tried before the criminal court of said District, would not subject such person to imprisonment in said penitentiary, and who are now or may hereafter be confined therein, shall be discharged from said imprisonment, upon such terms and conditions of further punishment as the President of the United States may, in his discretion, impose as a commutation of said sentence.

When such persons now therein may be discharged.

SEC. 3. *And be it further enacted*, That upon the application of any citizen of the United States, supported by his oath, alleging that a person or persons in the military service, as aforesaid, are confined in said penitentiary under the sentence of a court-martial for any offence not punishable by imprisonment in the penitentiary by the authority of the criminal court aforesaid, it shall be the duty of the judge of said court, or, in case of his absence or inability, of one of the judges of the circuit court of said District, if, upon an inspection of the record of proceedings of said court-martial, he shall find the facts to be as alleged in said application, immediately to issue the writ of habeas corpus to bring before him the said convict; and if, upon an investigation of the case, it shall be the opinion of such judge that the case of such convict is within the provisions of the previous sections of this act, he shall order such convict to be confined in the common jail of said District, until the decision of the President of the United States as to the commutation aforesaid shall be filed in said court, and then such convict shall be disposed of and suffer such punishment as by said commutation of his said sentence may be imposed.

Mode of discharge.

SEC. 4. *And be it further enacted*, That no person convicted upon the decision of a court-martial shall be confined in any penitentiary of the United States, except under the conditions of this act.

Convicts by court-martial not to be confined in penitentiary.

APPROVED, July 16, 1862.

CHAP. CXCIV. — *An Act to suppress Insurrection, to punish Treason and Rebellion, to seize and confiscate the Property of Rebels, and for other Purposes.*

July 17, 1862.

Post, p. 627.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who shall hereafter commit the crime of treason against the United States, and shall

Treason, how punished.

be adjudged guilty thereof, shall suffer death, and all his slaves, if any, shall be declared and made free; or, at the discretion of the court, he shall be imprisoned for not less than five years and fined not less than ten thousand dollars, and all his slaves, if any, shall be declared and made free; said fine shall be levied and collected on any or all of the property, real and personal, excluding slaves, of which the said person so convicted was the owner at the time of committing the said crime, any sale or conveyance to the contrary notwithstanding.

Post, p. 627.

Engaging or assisting, &c., in rebellion against the United States, how punished.

SEC. 2. *And be it further enacted*, That if any person shall hereafter incite, set on foot, assist, or engage in any rebellion or insurrection against the authority of the United States, or the laws thereof, or shall give aid or comfort thereto, or shall engage in, or give aid and comfort to, any such existing rebellion or insurrection, and be convicted thereof, such person shall be punished by imprisonment for a period not exceeding ten years, or by a fine not exceeding ten thousand dollars, and by the liberation of all his slaves, if any he have; or by both of said punishments, at the discretion of the court.

Disqualified to hold office.

SEC. 3. *And be it further enacted*, That every person guilty of either of the offences described in this act shall be forever incapable and disqualified to hold any office under the United States.

This act not to affect those guilty before, unless, &c.

SEC. 4. *And be it further enacted*, That this act shall not be construed in any way to affect or alter the prosecution, conviction, or punishment of any person or persons guilty of treason against the United States before the passage of this act, unless such person is convicted under this act.

President to cause the seizure of the estate, &c.

SEC. 5. *And be it further enacted*, That, to insure the speedy termination of the present rebellion, it shall be the duty of the President of the United States to cause the seizure of all the estate and property, money, stocks, credits, and effects of the persons hereinafter named in this section, and to apply and use the same and the proceeds thereof for the support of the army of the United States, that is to say:

of rebel officers,

First. Of any person hereafter acting as an officer of the army or navy of the rebels in arms against the government of the United States.

of President or other officer of so-called confederate states,

Secondly. Of any person hereafter acting as President, Vice-President, member of Congress, judge of any court, cabinet officer, foreign minister, commissioner or consul of the so-called confederate states of America.

of governor, &c., of any of the said states,

Thirdly. Of any person acting as governor of a state, member of a convention or legislature, or judge of any court of any of the so-called confederate states of America.

Post, p. 627. of certain persons holding offices of honor, &c.

Fourthly. Of any person who, having held an office of honor, trust, or profit in the United States, shall hereafter hold an office in the so-called confederate states of America.

Same subject.

Fifthly. Of any person hereafter holding any office or agency under the government of the so-called confederate states of America, or under any of the several states of the said confederacy, or the laws thereof, whether such office or agency be national, state, or municipal in its name or character: *Provided*, That the persons, thirdly, fourthly, and fifthly above described shall have accepted their appointment or election since the date of the pretended ordinance of secession of the state, or shall have taken an oath of allegiance to, or to support the constitution of the so-called confederate states.

Proviso.

of certain persons aiding, &c., the rebellion.

Sixthly. Of any person who, owning property in any loyal State or Territory of the United States, or in the District of Columbia, shall hereafter assist and give aid and comfort to such rebellion; and all sales, transfers, or conveyances of any such property shall be null and void; and it shall be a sufficient bar to any suit brought by such person for the possession or the use of such property, or any of it, to allege and prove that he is one of the persons described in this section.

Sales of such property to be void.

What shall be bar to suits.

SEC. 6. *And be it further enacted*, That if any person within any State or Territory of the United States, other than those named as aforesaid, after the passage of this act, being engaged in armed rebellion against the government of the United States, or aiding or abetting such rebellion, shall not, within sixty days after public warning and proclamation duly given and made by the President of the United States, cease to aid, countenance, and abet such rebellion, and return to his allegiance to the United States, all the estate and property, moneys, stocks, and credits of such person shall be liable to seizure as aforesaid, and it shall be the duty of the President to seize and use them as aforesaid or the proceeds thereof. And all sales, transfers, or conveyances, of any such property after the expiration of the said sixty days from the date of such warning and proclamation shall be null and void; and it shall be a sufficient bar to any suit brought by such person for the possession or the use of such property, or any of it, to allege and prove that he is one of the persons described in this section.

Property, &c., of persons in States in rebellion, engaged, &c., in the rebellion, not ceasing to give such aid within sixty days after proclamation by the President, liable to seizure, &c.

Sales, &c. void.

SEC. 7. *And be it further enacted*, That to secure the condemnation and sale of any of such property, after the same shall have been seized, so that it may be made available for the purpose aforesaid, proceedings in rem shall be instituted in the name of the United States in any district court thereof, or in any territorial court, or in the United States district court for the District of Columbia, within which the property above described, or any part thereof, may be found, or into which the same, if movable, may first be brought, which proceedings shall conform as nearly as may be to proceedings in admiralty or revenue cases, and if said property, whether real or personal, shall be found to have belonged to a person engaged in rebellion, or who has given aid or comfort thereto, the same shall be condemned as enemies' property and become the property of the United States, and may be disposed of as the court shall decree and the proceeds thereof paid into the treasury of the United States for the purposes aforesaid.

Proceedings to secure condemnation, &c., of such property.

SEC. 8. *And be it further enacted*, That the several courts aforesaid shall have power to make such orders, establish such forms of decree and sale, and direct such deeds and conveyances to be executed and delivered by the marshals thereof where real estate shall be the subject of sale, as shall fitly and efficiently effect the purposes of this act, and vest in the purchasers of such property good and valid titles thereto. And the said courts shall have power to allow such fees and charges of their officers as shall be reasonable and proper in the premises.

Power of courts in such cases.

SEC. 9. *And be it further enacted*, That all slaves of persons who shall hereafter be engaged in rebellion against the government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons or deserted by them and coming under the control of the government of the United States; and all slaves of such persons found on [or] being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves.

Certain slaves to be deemed captives of war and to be set free.

SEC. 10. *And be it further enacted*, That no slave escaping into any State, Territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service.

Escaped slaves not to be surrendered, unless claimant shall make oath that the alleged owner is loyal, &c.

President may employ persons of African descent to suppress rebellion.

SEC. 11. *And be it further enacted*, That the President of the United States is authorized to employ as many persons of African descent as he may deem necessary and proper for the suppression of this rebellion, and for this purpose he may organize and use them in such manner as he may judge best for the public welfare.

Colonization of freed slaves.

SEC. 12. *And be it further enacted*, That the President of the United States is hereby authorized to make provision for the transportation, colonization, and settlement, in some tropical country beyond the limits of the United States, of such persons of the African race, made free by the provisions of this act, as may be willing to emigrate, having first obtained the consent of the government of said country to their protection and settlement within the same, with all the rights and privileges of freemen.

President may proclaim amnesty and pardon.

SEC. 13. *And be it further enacted*, That the President is hereby authorized, at any time hereafter, by proclamation, to extend to persons who may have participated in the existing rebellion in any State or part thereof, pardon and amnesty, with such exceptions and at such time and on such conditions as he may deem expedient for the public welfare.

Courts may issue process to carry this act into effect.

SEC. 14. *And be it further enacted*, That the courts of the United States shall have full power to institute proceedings, make orders and decrees, issue process, and do all other things necessary to carry this act into effect.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CXCVI. — *An Act to authorize Payments in Stamps, and to prohibit Circulation of Notes of less Denomination than One Dollar.*

Postage and other stamps to be furnished in exchange for United States notes;

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby directed to furnish to the Assistant Treasurers, and such designated depositaries of the United States as may be by him selected, in such sums as he may deem expedient, the postage and other stamps of the United States, to be exchanged by them, on application, for United States notes; and from and after the first day of August next such stamps shall be receivable in payment of all dues to the United States less than five dollars, and shall be received in exchange for United States notes when presented to any Assistant Treasurer or any designated depository selected as aforesaid in sums not less than five dollars.

and may be received for dues to the United States less than \$5.

Circulation, &c., of notes less than \$1, as money, prohibited.

SEC. 2. *And be it further enacted*, That from and after the first day of August, eighteen hundred and sixty-two, no private corporation, banking association, firm, or individual shall make, issue, circulate, or pay any note, check, memorandum, token, or other obligation, for a less sum than one dollar, intended to circulate as money or to be received or used in lieu of lawful money of the United States; and every person so offending shall, on conviction thereof in any district or circuit court of the United States, be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, or by both, at the option of the court.

Penalty.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CXCVII. — *An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act in Addition to the Acts prohibiting the Slave Trade.'"*

1819, ch. 101.
Vol. iii. p. 532.
1860, ch. 136.
Ante, p. 40.

The President may arrange for the employment, &c., in the West Indies, &c., for

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall and may be lawful for the President of the United States to enter into arrangement, by contract or otherwise, with one or more foreign governments having possessions in the West Indies or other tropical regions, or with their duly constituted agent or agents, to receive from the United States, for a

term not exceeding five years, at such place or places as shall be agreed upon, all negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave trade by commanders of United States armed vessels, and to provide them with suitable instruction, and with comfortable clothing and shelter, and to employ them, at wages, under such regulations as shall be agreed upon, for a period not exceeding five years from the date of their being landed at the place or places agreed upon: *Provided*, That the United States incur no expenses on account of said negroes, mulattoes, or persons of color, after having landed them at the place or places agreed upon: *And provided, further*, That any arrangement so made as aforesaid may be renewed by the President of the United States from time to time, as may be found necessary or desirable, for periods not exceeding five years on each renewal.

five years, of negroes, &c., seized on board slave vessels.

No expenses after landing.
Arrangement may be renewed from time to time.

SECTION 2. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to issue instructions to the commanders of the armed vessels of the United States, directing them, whenever it shall be practicable, and under such rules and regulations as he shall prescribe, to proceed directly to such place or places as shall have been agreed upon with any foreign government, or its duly constituted agent or agents, under the provisions of the first section of this act, and there deliver to the duly constituted authorities, or agents of such foreign governments, all negroes, mulattoes, or persons of color, delivered from on board vessels seized in the prosecution of the slave trade, afterwards taking the vessel and persons engaged in prosecuting the slave trade to the proper place for trial and adjudication.

Commanders of armed vessels may be ordered to go directly to &c., such islands, &c.

APPROVED, July 17, 1862.

CHAP. CXCVIII. — *An Act authorizing the Secretary of the Treasury to change the Name of the Steamship "Coatzacoalcos" to "America."* July 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to change the name of the steamship "Coatzacoalcos," now owned by Marshall O. Roberts, of New York city, to that of "America," and to issue a register in that name.

Name of the "Coatzacoalcos" changed to "America."

APPROVED, July 17, 1862.

CHAP. CXCI. — *An Act to provide for the more prompt Settlement of the Accounts of Disbursing Officers.* July 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act any officer or agent of the United States who shall receive public money which he is not authorized to retain as salary, pay or emolument, shall render his accounts monthly, instead of quarterly, as heretofore; and such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be rendered direct to the proper accounting officer of the treasury, and be mailed or otherwise forwarded to its proper address within ten days after the expiration of each successive month. And in case of the non-receipt at the treasury of any accounts within a reasonable and proper time thereafter, the officer whose accounts are in default shall be required to furnish satisfactory evidence of having complied with the provisions of this act; and for any default on his part, the delinquent officer shall be deemed a defaulter, and be subject to all the penalties prescribed by the sixteenth section of the act of August sixth, eighteen hundred and forty-six, "to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer and disbursement of the public revenue;" *Provided*, That the Secretary of the Treasury may, if in his opinion the circumstances of the case justify and

Accounts of disbursing officers to be settled monthly.

Accounts, &c., to be forwarded in ten days.

Proceedings if accounts are not received in season.

1846, ch. 90, § 16. Vol. ix. p. 63.

Proviso

Time may be extended.

Other returns may be required.

require it, extend the time hereinbefore prescribed for the rendition of accounts: *and provided further*, That nothing herein contained shall be construed to restrain the heads of any of the departments from requiring such other returns or reports from the officer or agent, subject to the control of such heads of departments, as the public interests may require.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CC. — *An Act to define the Pay and Emoluments of certain Officers of the Army, and for other Purposes.*

Forage to be drawn in kind.

When to be commuted.

Officers on duty requiring them to be mounted to receive pay of cavalry officers.

Forage of major generals, brigadier generals, colonels, &c.

Captains, &c.
Chaplains.

Officers employing soldiers as servants to deduct from their pay, &c.

Penalty.

Construction of act of 1861, ch. 83, § 1;
Ante, p. 326.

of 1861, ch. 9, § 3.
Ante, p. 270.

Pay of quartermaster sergeants.

Regimental bands to be mustered out of service.

1861, ch. 9, § 2.
Ante, p. 269.

Brigade bands, number, pay, &c.

Mileage of officers

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That officers of the army entitled to forage for horses shall not be allowed to commute it, but may draw forage in kind for each horse actually kept by them when and at the place where they are on duty, not exceeding the number authorized by law: *Provided, however*, That when forage in kind cannot be furnished by the proper department, then, and in all such cases, officers entitled to forage may commute the same according to existing regulations: *And provided, further*, That officers of the army and of volunteers assigned to duty which requires them to be mounted, shall, during the time they are employed on such duty, receive the pay, emoluments, and allowances of cavalry officers of the same grade respectively.

SEC. 2. *And be it further enacted*, That major generals shall be entitled to draw forage in kind for five horses; brigadier generals for four horses; colonels, lieutenant colonels, and majors, for two horses each; captains and lieutenants of cavalry and artillery, or having the cavalry allowance, for two horses each; and chaplains, for one horse only.

SEC. 3. *And be it further enacted*, That whenever an officer of the army shall employ a soldier as his servant he shall, for each and every month during which said soldier shall be so employed, deduct from his own monthly pay the full amount paid to or expended by the government per month on account of said soldier; and every officer of the army who shall fail to make such deduction shall, on conviction thereof before a general court-martial, be cashiered.

SEC. 4. *And be it further enacted*, That the first section of the act approved August six, eighteen hundred and sixty-one, entitled "An act to increase the pay of privates in the regular army and in the volunteers in the service of the United States, and for other purposes," shall not be so construed, after the passage of this act, as to increase the emoluments of the commissioned officers of the army. And the eighth section of the act of twenty-second July, eighteen hundred and sixty-one, entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property," shall be so construed as to give to quartermaster sergeants the same compensation as to regimental commissary sergeants.

SEC. 5. *And be it further enacted*, That so much of the aforesaid act approved twenty-second July, eighteen hundred and sixty-one, as authorizes each regiment of volunteers in the United States service to have twenty-four musicians for a band, and fixes the compensation of the leader of the band, be, and the same is hereby, repealed; and the men composing such bands shall be mustered out of the service within thirty days after the passage of this act.

SEC. 6. *And be it further enacted*, That each brigade in the volunteer service may have sixteen musicians as a band, who shall receive the pay and allowances now provided by law for regimental bands, except the leader of the band, who shall receive forty-five dollars per month with the emoluments and allowances of a quartermaster's sergeant.

SEC. 7. *And be it further enacted*, That in lieu of the present rate of mileage allowed to officers of the army when travelling on public duty,

where transportation in kind is not furnished to them by the government, not more than six cents per mile shall hereafter be allowed, unless where an officer is ordered from a station east of the Rocky Mountains to one west of the same mountains, or vice versa, when ten cents per mile shall be allowed to him; and no officer of the army or navy of the United States shall be paid mileage except for travel actually performed at his own expense, and in obedience to orders.

SEC. 8. *And be it further enacted*, That so much of section nine of the aforesaid act, approved July twenty-second, eighteen hundred and sixty-one, and of section seven of the "Act providing for the better organization of the military establishment," approved August third, eighteen hundred and sixty-one, as defines the qualifications of chaplains in the army and volunteers, shall hereafter be construed to read as follows: That no person shall be appointed a chaplain in the United States army who is not a regularly ordained minister of some religious denomination, and who does not present testimonials of his present good standing as such minister, with a recommendation for his appointment as an army chaplain from some authorized ecclesiastical body, or not less than five accredited ministers belonging to said religious denomination.

SEC. 9. *And be it further enacted*, That hereafter the compensation of all chaplains in the regular or volunteer service or army hospitals shall be one hundred dollars per month and two rations a day when on duty; and the chaplains of the permanent hospitals, appointed under the authority of the second section of the act approved May twentieth, eighteen hundred and sixty-two, shall be nominated to the Senate for its advice and consent, and they shall, in all respects, fill the requirements of the preceding section of this act relative to the appointment of chaplains in the army and volunteers, and the appointments of chaplains to army hospitals, heretofore made by the President, are hereby confirmed; and it is hereby made the duty of each officer commanding a district or post containing hospitals, or a brigade of troops, within thirty days after the reception of the order promulgating this act, to inquire into the fitness, efficiency, and qualifications of the chaplains of hospitals or regiments, and to muster out of service such chaplains as were not appointed in conformity with the requirements of this act, and who have not faithfully discharged the duties of chaplains during the time they have been engaged as such. Chaplains employed at the military posts called "chaplains' posts" shall be required to reside at the posts, and all chaplains in the United States service shall be subject to such rules in relation to leave of absence from duty as are prescribed for commissioned officers of the United States army stationed at such posts.

SEC. 10. *And be it further enacted*, That so much of the fifth section of the act approved July twenty-second, eighteen hundred and sixty-one, as allows forty cents per day for the use and risk of the horses of company officers of cavalry, and the tenth section of the aforesaid act, approved August three, eighteen hundred and sixty-one, be, and the same are hereby, repealed.

SEC. 11. *And be it further enacted*, That whenever an officer shall be put under arrest, except at remote military posts or stations, it shall be the duty of the officer by whose orders he is arrested to see that a copy of the charges on which he has been arrested and is to be tried shall be served upon him within eight days thereafter, and that he shall be brought to trial within ten days thereafter, unless the necessities of the service prevent such trial; and then he shall be brought to trial within thirty days after the expiration of the said ten days or the arrest shall cease: *Provided*, That if the copy of the charges be not served upon the arrested officer, as herein provided, the arrest shall cease; but officers released from arrest under the provisions of this section may be tried whenever the exigencies of the service will permit, within twelve months after such

Actual mileage only, under orders, paid for.

Chaplains, qualifications of.
1861, ch. 9, § 9.
1861, ch. 42, § 7.
Ante, pp. 270, 288.

Chaplains, pay and rations.

Chaplains of permanent hospitals.
1862, ch. 80, § 2.
Ante, p. 404.

Commander of post to inquire into fitness, &c., of chaplain.

Residence of chaplains.

Allowance for risk of horses abolished.
1861, ch. 9, § 5.
1861, ch. 42, § 10.
Ante, pp. 269, 288.

Proceedings in cases of arrest of officers.
Copy of charges.

Trial.

Provido,

This section to apply to all under arrest and awaiting trial.

Certain officers of the army and marine corps may be retired.

1861, ch. 42, § 17.
Ante, p. 289.

Contracts, &c. for goods or supplies to be reported promptly to Congress.

Interest in contracts not to be transferred.

Penalty. Rights of United States saved.

Supplies to be marked.

Punishment of certain contractors found guilty of fraud, &c.

Certain contractors subject to rules, &c. for land and naval forces.

President may dismiss, for cause, any officer;

may purchase cemetery grounds.

Law authorizing additional aides-de-camp repealed.

1861, ch. 24.
1861, ch. 47.

release from arrest: *And provided, further,* That the provisions of this section shall apply to all persons now under arrest and awaiting trial.

SEC. 12. *And be it further enacted,* That whenever the name of any officer of the army or marine corps, now in the service, or who may hereafter be in the service of the United States, shall have been borne on the army register or naval register, as the case may be, forty-five years, or he shall be of the age of sixty-two years, it shall be in the discretion of the President to retire him from active service and direct his name to be entered on the retired list of officers of the grade to which he belonged at the time of such retirement; and the President is hereby authorized to assign any officer retired under this section or the act of August third, eighteen hundred and sixty-one, to any appropriate duty; and such officer thus assigned shall receive the full pay and emoluments of his grade while so assigned and employed.

SEC. 13. *And be it further enacted,* That all contracts made for, or orders given for the purchase of, goods or supplies by any department of the government shall be promptly reported to Congress by the proper head of such department if Congress shall at the time be in session, and if not in session said reports shall be made at the commencement of the next ensuing session.

SEC. 14. *And be it further enacted,* That no contract or order, or any interest therein, shall be transferred by the party or parties to whom such contract or order may be given to any other party or parties, and that any such transfer shall cause the annulment of the contract or order transferred, so far as the United States are concerned: *Provided,* That all rights of action are hereby reserved to the United States for any breach of such contract by the contracting party or parties.

SEC. 15. *And be it further enacted,* That every person who shall furnish supplies of any kind to the army or navy shall be required to mark and distinguish the same, with the name or names of the contractors so furnishing said supplies in such manner as the Secretary of War and the Secretary of the Navy may respectively direct, and no supplies of any kind shall be received unless so marked and distinguished.

SEC. 16. *And be it further enacted,* That whenever any contractor for subsistence, clothing, arms, ammunition, munitions of war, and for every description of supplies for the army or navy of the United States, shall be found guilty by a court-martial of fraud or wilful neglect of duty, he shall be punished by fine, imprisonment, or such other punishment as the court-martial shall adjudge; and any person who shall contract to furnish supplies of any kind or description for the army or navy he shall be deemed and taken as a part of the land or naval forces of the United States, for which he shall contract to furnish said supplies, and be subject to the rules and regulations for the government of the land and naval forces of the United States.

SEC. 17. *And be it further enacted,* That the President of the United States be, and hereby is, authorized and requested to dismiss and discharge from the military service either in the army, navy, marine corps, or volunteer force, in the United States service, any officer for any cause which, in his judgment, either renders such officer unsuitable for, or whose dismission would promote, the public service.

SEC. 18. *And be it further enacted,* That the President of the United States shall have power, whenever in his opinion it shall be expedient, to purchase cemetery grounds, and cause them to be securely enclosed, to be used as a national cemetery for the soldiers who shall die in the service of the country.

SEC. 19. *And be it further enacted,* That so much of the act approved the fifth of August, eighteen hundred and sixty-one, entitled "An act supplementary to an act entitled 'An act to increase the present military establishment of the United States,'" approved the twenty-ninth of July,

eighteen hundred and sixty-one, as authorizes the appointment of additional aides-de-camp, be, and the same is hereby, repealed. But this repeal shall not be construed so as to deprive those persons already appointed, in strict conformity with said act of the fifth of August, eighteen hundred and sixty-one, from holding their offices in the same manner as if it had not been repealed.

Ante, p. 314.
Construction of this section.

SEC. 20. *And be it further enacted*, That the different regiments and independent companies heretofore mustered into the service of the United States as volunteer engineers, pioneers, or sappers and miners, under the orders of the President or Secretary of War, or by authority of the commanding general of any military department of the United States, or which, having been mustered into the service as infantry, shall have been reorganized and employed as engineers, pioneers, or sappers and miners, shall be, and the same are hereby, recognized and accepted as volunteer engineers, on the same footing, in all respects, in regard to their organization, pay, and emoluments, as the corps of engineers of the regular army of the United States, and they shall be paid for their services, already performed, as is now provided by law for the payment of officers and non-commissioned officers and privates of the engineer corps of the regular army.

Volunteer engineers, &c., pay and emoluments of.

SEC. 21. *And be it further enacted*, That any alien, of the age of twenty-one years and upwards, who has enlisted or shall enlist in the armies of the United States, either the regular or the volunteer forces, and has been or shall be hereafter honorably discharged, may be admitted to become a citizen of the United States, upon his petition, without any previous declaration of his intention to become a citizen of the United States, and that he shall not be required to prove more than one year's residence within the United States previous to his application to become such citizen; and that the court admitting such alien shall, in addition to such proof of residence and good moral character as is now provided by law, be satisfied by competent proof of such person having been honorably discharged from the service of the United States as aforesaid.

Aliens, honorably discharged from military service, may become citizens without, &c.

Proof of discharge.

SEC. 22. *And be it further enacted*, That there shall be added to the Adjutant General's department, by regular promotion of its present officers, one colonel, two lieutenant colonels, and nine majors; and that the grade of captain in said department shall thereafter be abolished, and all vacancies occurring in the grade of major shall be filled by selection from among the captains of the army.

Increase of officers in adjutant general's department.

APPROVED, July 17, 1862.

CHAP. CCI. — *An Act to amend the Act calling forth the Militia to execute the Laws of the Union, suppress Insurrections, and repel Invasions, approved February twenty-eight, seventeen hundred and ninety-five, and the Acts amendatory thereof, and for other Purposes.*

July 17, 1862.
1795, ch. 36.
Vol. i. p. 424.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the President of the United States shall call forth the militia of the States, to be employed in the service of the United States, he may specify in his call the period for which such service will be required, not exceeding nine months; and the militia so called shall be mustered in and continue to serve for and during the term so specified, unless sooner discharged by command of the President. If by reason of defects in existing laws, or in the execution of them, in the several States, or any of them, it shall be found necessary to provide for enrolling the militia and otherwise putting this act into execution, the President is authorized in such cases to make all necessary rules and regulations; and the enrolment of the militia shall in all cases include all able-bodied male citizens between the ages of eighteen and forty-five, and shall be apportioned among the States according to representative population.

When militia are called forth, their term of service to be specified, not to exceed nine months. Militia to be mustered in, &c. The President to provide for enrolling the militia in certain States. Enrolment to include whom, and how apportioned.

Militia, how organized.

SEC. 2. *And be it further enacted*, That the militia, when so called into service, shall be organized in the mode prescribed by law for volunteers.

President may accept 100,000 infantry for nine months.

SEC. 3. *And be it further enacted*, That the President be, and he is hereby, authorized, in addition to the volunteer forces which he is now authorized by law to raise, to accept the services of any number of volunteers, not exceeding one hundred thousand, as infantry, for a period of nine months, unless sooner discharged. And every soldier who shall enlist under the provisions of this section shall receive his first month's pay, and also twenty-five dollars as bounty, upon the mustering of his company or regiment into the service of the United States. And all provisions of law relating to volunteers enlisted in the service of the United States for three years, or during the war, except in relation to bounty, shall be, and the same are, extended to, and are hereby declared to embrace, the volunteers to be raised under the provisions of this section.

Advance pay and bounty.

Volunteers for twelve months may be accepted to fill up regiments.

SEC. 4. *And be it further enacted*, That, for the purpose of filling up the regiments of infantry now in the United States service, the President be, and he hereby is, authorized to accept the services of volunteers in such numbers as may be presented for that purpose, for twelve months, if not sooner discharged. And such volunteers, when mustered into the service, shall be in all respects upon a footing with similar troops in the United States service, except as to service bounty, which shall be fifty dollars, one half of which to be paid upon their joining their regiments, and the other half at the expiration of their enlistment.

Judge advocate general.

SEC. 5. *And be it further enacted*, That the President shall appoint, by and with the advice and consent of the Senate, a judge advocate general, with the rank, pay, and emoluments of a colonel of cavalry, to whose office shall be returned, for revision, the records and proceedings of all courts-martial and military commissions, and where a record shall be kept of all proceedings had thereupon. And no sentence of death, or imprisonment in the penitentiary, shall be carried into execution until the same shall have been approved by the President.

Rank, pay, &c.

Sentence.

1863, ch. 75, § 21.
Post, p. 735.

Judge advocate for each army in the field.

Rank, pay, duties, &c.

SEC. 6. *And be it further enacted*, That there may be appointed by the President, by and with the advice and consent of the Senate, for each army in the field, a judge advocate, with the rank, pay, and emoluments, each, of a major of cavalry, who shall perform the duties of judge advocate for the army to which they respectively belong, under the direction of the judge advocate general.

Field officer substituted for regimental or garrison court-martial.

Duty of such field officer.

SEC. 7. *And be it further enacted*, That hereafter all offenders in the army charged with offences now punishable by a regimental or garrison court-martial, shall be brought before a field officer of his regiment, who shall be detailed for that purpose, and who shall hear and determine the offence, and order the punishment that shall be inflicted; and shall also make a record of his proceedings, and submit the same to the brigade commander, who, upon the approval of the proceedings of such field officer, shall order the same to be executed: *Provided*, That the punishment in such cases be limited to that authorized to be inflicted by a regimental or garrison court-martial: *And provided, further*, That, in the event of there being no brigade commander, the proceedings as aforesaid shall be submitted for approval to the commanding officer of the post.

Limit to punishment.

Proviso.

Certain battalion adjutants and quartermasters of cavalry to be mustered out of the service.

SEC. 8. *And be it further enacted*, That all officers who have been mustered into the service of the United States as battalion adjutants and quartermasters of cavalry under the orders of the War Department, exceeding the number authorized by law, shall be paid as such for the time they were actually employed in the service of the United States, and that all such officers now in service, exceeding the number as aforesaid, shall be immediately mustered out of the service of the United States.

President may organize army corps at his discretion.

SEC. 9. *And be it further enacted*, That the President be, and he is hereby, authorized to establish and organize army corps according to his discretion.

SEC. 10. *And be it further enacted*, That each army corps shall have the following officers and no more attached thereto, who shall constitute the staff of the commander thereof: one assistant adjutant general, one quartermaster, one commissary of subsistence, and one assistant inspector general, who shall bear, respectively, the rank of lieutenant colonel, and who shall be assigned from the army or volunteer force by the President. Also three aides-de-camp, one to bear the rank of major, and two to bear the rank of captain, to be appointed by the President, by and with the advice and consent of the Senate, upon the recommendation of the commander of the army corps. The senior officer of artillery in each army corps shall, in addition to his other duties, act as chief of artillery and ordnance at the headquarters of the corps.

Officers of each army corps.
Staff of commander.

Senior officer of artillery.

SEC. 11. *And be it further enacted*, That the cavalry forces in the service of the United States shall hereafter be organized as follows: Each regiment of cavalry shall have one colonel, one lieutenant colonel, three majors, one surgeon, one assistant surgeon, one regimental adjutant, one regimental quartermaster, one regimental commissary, one sergeant major, one quartermaster serjeant, one commissary serjeant, two hospital stewards, one saddler sergeant, one chief trumpeter, and one chief farrier or blacksmith, and each regiment shall consist of twelve companies or troops, and each company or troop shall have one captain, one first lieutenant, one second lieutenant, and one supernumerary second lieutenant, one first sergeant, one quartermaster sergeant, one commissary sergeant, five serjeants, eight corporals, two teamsters, two farriers or blacksmiths, one saddler, one wagoner, and seventy-eight privates; the regimental adjutants, the regimental quartermasters, and regimental commissaries to be taken from their respective regiments: *Provided*, That vacancies caused by this organization shall not be considered as original, but shall be filled by regular promotion.

Organization of cavalry force. Regiment.

Company. 1863, ch. 75, § 37. Post, p. 737.

Vacancies, how filled.

SEC. 12. *And be it further enacted*, That the President be, and he is hereby, authorized to receive into the service of the United States, for the purpose of constructing intrenchments, or performing camp service, or any other labor, or any military or naval service for which they may be found competent, persons of African descent, and such persons shall be enrolled and organized under such regulations, not inconsistent with the Constitution and laws, as the President may prescribe.

President may employ persons of African descent.

SEC. 13. *And be it further enacted*, That when any man or boy of African descent, who by the laws of any State shall owe service or labor to any person who, during the present rebellion, has levied war or has borne arms against the United States, or adhered to their enemies by giving them aid and comfort, shall render any such service as is provided for in this act, he, his mother and his wife and children, shall forever thereafter be free, any law, usage, or custom whatsoever to the contrary notwithstanding: *Provided*, That the mother, wife and children of such man or boy of African descent shall not be made free by the operation of this act except where such mother, wife or children owe service or labor to some person who, during the present rebellion, has borne arms against the United States or adhered to their enemies by giving them aid and comfort.

Slaves rendering such service, and their families, &c., to be free, if, &c.

Proviso.

SEC. 14. *And be it further enacted*, That the expenses incurred to carry this act into effect shall be paid out of the general appropriation for the army and volunteers.

Appropriation for expenses.

SEC. 15. *And be it further enacted*, That all persons who have been or shall be hereafter enrolled in the service of the United States under this act shall receive the pay and rations now allowed by law to soldiers, according to their respective grades: *Provided*, That persons of African descent, who under this law shall be employed, shall receive ten dollars per month and one ration, three dollars of which monthly pay may be in clothing.

Pay and rations.

Pay, &c., of those of African descent.

Medical purveyors and storekeepers to give bonds.

SEC. 16. *And be it further enacted*, That medical purveyors and storekeepers shall give bonds in such sums as the Secretary of War may require with security to be approved by him.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CCII. — *An Act to allow and pay to the State of Missouri the Amount of Money expended by said State in the arming and paying of Troops employed in the Suppression of Insurrection against the Laws of the United States.*

Missouri may credit against her quota of direct tax, under act 1861, ch. 45, money expended in arming, &c., State troops.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Missouri shall be entitled to a credit against the direct tax apportioned to said State by the "act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one, for all sums of money expended by said State in the arming, equipping, subsisting and paying of troops organized under the ordinances of the convention of said State, passed during the year eighteen hundred and sixty-one, and employed in concert with the federal authorities in suppressing insurrection against the United States, and enforcing the laws thereof.

Ante, p. 295.

Commission to be appointed to examine and report the amount due.

SEC. 2. *And be it further enacted*, That, for the purpose of ascertaining the amount due to said State for moneys so expended, the Secretary of War shall, immediately after the passage of this act, by commission or otherwise, cause the accounts to be examined, and a report made to him of the amount due, which being approved by the Secretary of War, and by him certified to the Secretary of the Treasury, the amount thereof shall be allowed to said State, and deducted from the amount apportioned thereto by the aforesaid act, and the remainder only, if any, shall be collected as therein prescribed: *Provided*, That, in the adjustment of accounts under this act, no greater rate of compensation shall be allowed than was provided for by the laws of the United States applicable to the arming, equipping, subsisting, and payment of volunteers, in force at the time of the enrolment of such troops of Missouri.

Proviso.

Discount of 15 per cent. to be allowed if, &c.

SEC. 3. *And be it further enacted*, That if said State shall assume and pay into the treasury the balance of said direct tax, if any, at such time as may be fixed by the Secretary of the Treasury, or should said expenditures be found to be equal to the tax, the deduction or discount of fifteen per centum, as prescribed in the fifty-third section of the said recited act, shall be allowed on the whole amount thus apportioned.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CCIII. — *An Act to suspend temporarily the Operation of an Act entitled "An Act to prevent and punish Fraud on the Part of Officers intrusted with making of Contracts for the Government," approved June two, eighteen hundred and sixty-two.*

Act of 1862, ch. 93, suspended until Jan. 1, 1863.

Ante, p. 411.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the operation of the act entitled "An act to prevent and punish frauds on the part of officers intrusted with making of contracts for the government," approved June two, eighteen hundred and sixty-two, be, and the same is hereby, suspended until the first Monday of January, eighteen hundred and sixty-three.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CCIV. — *An Act for the better Government of the Navy of the United States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the first

day of September next, the following articles be adopted, and put in force for the government of the navy of the United States :

Articles for the government of the navy. Commanders of fleets, &c., duty, &c., of.

ARTICLE 1. The commanders of all fleets, squadrons, naval stations, and vessels belonging to the navy, are strictly enjoined and required to show in themselves a good example of virtue, honor, patriotism, and subordination ; to be vigilant in inspecting the conduct of all who may be placed under their command ; to guard against and suppress all dissolute and immoral practices, and to correct all who may be guilty of them, according to the laws and regulations of the navy, upon pain of such punishment as a general court-martial may think proper to inflict.

ARTICLE 2. The commanders of vessels and naval stations, to which chaplains are attached, shall cause divine service to be performed on Sunday, whenever the weather and other circumstances will allow it to be done ; and it is earnestly recommended to all officers, seamen, and others in the naval service, diligently to attend at every performance of the worship of Almighty God. Any irreverent or unbecoming behavior during divine service shall be punished as a general or summary court-martial shall direct.

Divine service.

ARTICLE 3. The punishment of death, or such other punishment as a court-martial shall adjudge, may be inflicted on any person in the naval service—

Punishment for

First. Who shall make, or attempt to make, or unite with, any mutinous assembly, or knowing of the same, or of any intended mutiny, shall not forthwith communicate it to his superior or commanding officer, or being witness to, or present at, any mutiny, shall not do his utmost to suppress it ;

Mutiny.

Second. Or shall disobey the lawful orders of his superior officer, or strike or assault, or attempt or threaten to strike or assault him, while in the execution of the duties of his office ;

Disobedience to, &c., superior officer.

Third. Or shall give, hold, or entertain any intercourse or intelligence to or with any enemy or rebel, without leave from the President of the United States, the Secretary of the Navy, the commander-in-chief of the fleet, or the commander of a squadron ; or, in case of a vessel acting singly, from his commanding officer ;

Intercourse, &c., with enemy.

Fourth. Or shall desert, or entice others to desert to an enemy or rebel ;

Desertion, & :

Fifth. Or shall receive any message or letter from an enemy or rebel, or be aware of the unlawful reception of such letter or message, and fail to take the earliest opportunity to inform his superior or commanding officer thereof ;

Receiving message, &c., from enemy, &c.

Sixth. Or shall, in time of war, desert or betray his trust, or entice or aid others to desert or betray their trust, or shall sleep upon his watch, or leave his station before regularly relieved ;

Sleeping upon watch in time of war.

Seventh. Or shall intentionally or wilfully suffer any vessel of the navy to be stranded or run upon rocks or shoals, or improperly hazarded, or shall wilfully or maliciously injure any vessel of the navy, or any part of her tackle, armament or equipment, whereby the safety of the vessel shall be hazarded, or the lives of the crew exposed to danger, or shall set on fire or otherwise unlawfully destroy any public property not then in the possession of an enemy, pirate, or rebel ;

Intentionally, &c., stranding a vessel of the navy, &c.

Eighth. Or shall strike, or attempt to strike, the flag to an enemy or rebel without proper authority, or when engaged in battle shall treacherously yield or pusillanimously cry for quarter ;

Striking the flag to an enemy or rebel, &c.

Ninth. Or shall in time of battle display cowardice, negligence, or disaffection, or withdraw from or keep out of danger to which he should expose himself ; or shall desert his duty or station, or entice others to do so ; or shall not properly observe the orders of his commanding officer and use his utmost exertions to carry them into execution, when ordered to prepare for, join in, or when actually engaged in battle, or while in sight of an enemy ;

Cowardice, &c., in battle.

Tenth. Or when commanding a fleet, squadron, or vessel acting singly, shall, upon the probability of an engagement, or on sight of any armed

Neglect to prepare his ship for action, &c.

vessel of an enemy or rebel, neglect to prepare and clear his ship for action; or shall not, upon signal for battle, use his utmost exertions to join in battle, or shall fail to encourage in his own person his inferior officers and men to fight courageously; or shall not do his utmost to overtake and capture or destroy any vessel which it is his duty to encounter; or shall not afford all practicable relief and assistance to vessels belonging to the United States or their allies when engaged in battle.

Spies, &c., how punished.

ARTICLE 4. Spies, and all persons who shall come or be found in the capacity of spies, or who shall bring or deliver any seducing letter or message from an enemy or rebel, or endeavor to corrupt any person in the navy to betray his trust, shall suffer death, or such other punishment as a court-martial shall adjudge.

Murder.

ARTICLE 5. The crime of murder, when committed by an officer, seaman, marine, or other person belonging to any public ship or vessel of the United States, without the territorial jurisdiction of the same, may be punished with death by the sentence of a court-martial.

Punishment of imprisonment for life may be substituted for that of death.

ARTICLE 6. In any case where a naval court-martial is authorized to adjudge the punishment of death it may sentence the person convicted to imprisonment for life, or for a stated term, at hard labor, and such sentences of imprisonment and hard labor may be carried into execution in any prison or penitentiary under the control of the United States, or the use of which shall be allowed by the legislature of a State; and persons convicted by a court-martial and imprisoned in the prison or penitentiary of any State or Territory shall in all respects be subject to the same discipline and treatment and under the same control as convicts sentenced by the courts of the State or Territory in which such prison or penitentiary is situated.

What prisons may be used.

Treatment of prisoners.

Punishment for

ARTICLE 7. Such punishment as a court-martial shall adjudge may be inflicted on any person in the navy:

Cruelty, &c.

First. Who shall be guilty of cruelty, oppression, or maltreatment of those subject to his orders;

Profane swearing, falsehood, &c.

Second. Or shall be guilty of profane swearing, falsehood, drunkenness, gambling, fraud, theft, or any other scandalous conduct tending to the destruction of good morals;

Assaults, challenges, &c.

Third. Or shall quarrel with, strike, or assault any other person in the navy, or use provoking or reproachful words, gestures, or menaces, or endeavor to foment quarrels between other persons in the navy, or send or accept a challenge to fight a duel, or act as second in a duel;

Contempt, &c., of superior officer.

Fourth. Or shall treat with contempt his superior officer, or be disrespectful to him in language or deportment whilst in the execution of his office; or shall join in or abet any combination to weaken the lawful authority of, or lessen the respect due to his commanding officer;

Negligence.

Fifth. Or shall be negligent or careless in obeying orders, or culpably inefficient in the performance of duty;

Fraud against the United States, embezzlement, &c.

Sixth. Or shall knowingly make or sign, or shall aid, abet, direct, or procure the making or signing of any false muster, or shall execute, or attempt or countenance any fraud against the United States, or shall waste, embezzle, or fraudulently buy, sell, or receive any ammunition, provisions, or other public stores, or, having the power to prevent it, shall knowingly permit such waste, embezzlement, sale, or receipt;

Negligently suffering a vessel to be stranded.

Seventh. Or shall, through inattention or negligence, suffer any vessel of the navy to be stranded or run upon a rock or shoal, or hazarded;

Abuse of people on shore, &c.

Eighth. Or shall, when on shore, plunder, abuse, or maltreat any inhabitant or injure his property in any way;

Negligence in detecting, &c., offenders.

Ninth. Or shall refuse or fail to use his utmost exertions to detect, apprehend, and bring to punishment all offenders, and aid and assist all persons appointed for the purpose;

Desertion, &c., in time of peace.

Tenth. Or shall, in time of peace, desert or attempt to desert, or aid or entice others to desert; or shall be absent from his station or duty without leave, or after his leave shall have expired;

Eleventh. Or shall, when rated or acting as master-at-arms, refuse to receive such prisoners as shall be committed to his charge, or having received them shall suffer them to escape, or dismiss them without orders from the proper authority; Master-at-arms refusing to receive prisoners.

Twelfth. Or shall, when attached to any ship or vessel appointed as convoy to merchant or other vessels, fail diligently to perform his duty, or shall demand or exact any compensation for his services, or shall maltreat the officers or crews of such merchant or other vessels; Failing to do duty as convoy.

Thirteenth. Or shall take, receive, or permit to be received on board the vessel to which he is attached any goods or merchandise for freight, sale, or traffic, except gold, silver, or jewels, for freight or safe-keeping, or shall demand or receive any compensation for the receipt or transportation of any other article than gold, silver, or jewels, without authority from the President of the United States or the Secretary of the Navy; Receiving goods on board for freight.

Fourteenth. Or shall violate or refuse obedience to any lawful general order or regulation issued by the Secretary of the Navy. Disobedience to general orders.

ARTICLE 8. All offences committed by persons belonging to the navy, which are not specified in the foregoing articles, shall be punished as a court-martial shall direct; but in no case shall punishment by flogging be inflicted, nor shall any court-martial adjudge punishment by flogging. Other offences not enumerated.

ARTICLE 9. All offences committed by persons belonging to the navy, while on shore, shall be punished in the same manner as if they had been committed at sea. Offences committed on shore.

ARTICLE 10. No commander of a vessel of the navy shall inflict any other punishment upon a commissioned or warrant officer than private reprimand, suspension from duty, arrest or confinement, neither of which shall continue longer than ten days, except a further period be necessary to bring the offender to a court-martial; nor shall he inflict, or cause or permit to be inflicted upon any petty officer or person of inferior rating, or marine, any punishment for a single offence or at any one time other than one of the following punishments, viz: Punishments a commander of a vessel may inflict.

First. Reduction of any rating established by himself. Disrating.

Second. Confinement with or without irons, single or double, such confinement not to exceed ten days, unless necessary in the case of a prisoner to be tried by court-martial. Confinement.

Third. Solitary confinement on bread and water not exceeding five days.

Fourth. Solitary confinement not exceeding seven days.

Fifth. Deprivation of liberty on shore.

Sixth. Extra duties.

No other punishment shall be permitted on board of vessels belonging to the navy, except by sentence of a general or summary court-martial. Summary courts-martial may disrate any rated person for incompetency. All punishments inflicted by the commander, or by his order, except reprimands, shall be fully entered upon the ship's log. Deprivation of liberty on shore
Extra duties.
Summary courts-martial.

ARTICLE 11. General courts-martial may be convened as often as the President of the United States, the Secretary of the Navy, or commander-in-chief of a fleet or a squadron shall deem it necessary: *Provided*, That in the waters of the United States no commander-in-chief of a fleet or squadron shall convene a general court-martial unless by express authority from the President of the United States: *Provided, also*, That no general court-martial shall consist of more than thirteen nor less than five commissioned officers as members; and as many officers shall be summoned on every such court as can be convened without injury to the service, so as not to exceed thirteen; and the senior officer shall always preside, the others taking place according to their rank; and in no case where it can be avoided without injury to the service shall more than one-half the members, exclusive of the president, be junior to the officer to be tried. Punishments to be entered on ship's log.
General courts-martial, when may be summoned.
Proviso.

ARTICLE 12. The president of the court is authorized and required to Of whom to consist.

Who to preside.

ARTICLE 12. The president of the court is authorized and required to

Oath to judge
advocate.

administer the following oath or affirmation to the judge advocate or person officiating as such :

"I, A B, do swear (or affirm) that I will keep a true record of the evidence given to and the proceedings of this court; nor will I divulge or by any means disclose the sentence of the court until it shall have been approved by the proper authority; nor will I at any time divulge or disclose the vote or opinion of any particular member of the court, unless required so to do before a court of justice in due course of law."

Oath to mem-
bers.

This oath or affirmation being duly administered, each member of the court, before proceeding to trial, shall take the following oath or affirmation, which the judge advocate, or person officiating as such, is hereby authorized to administer :

"I, A B, do swear (or affirm) that I will truly try, without prejudice or partiality, the case now depending, according to the evidence which shall come before the court, the rules for the government of the navy, and my own conscience; and that I will not by any means divulge or disclose the sentence of the court until it shall have been approved by the proper authority, nor will I at any time divulge or disclose the vote or opinion of any particular member of the court unless required so to do before a court of justice in due course of law."

All testimony
to be upon oath.

ARTICLE 13. All testimony given to a general court-martial shall be on oath or affirmation, which the president of the court is hereby authorized to administer; and if any person shall refuse to give his evidence as aforesaid, or shall prevaricate, or shall behave with contempt to the court, it shall and may be lawful for the court to imprison such offender at their discretion: *Provided*, That the imprisonment in no case shall exceed two months. And every person who shall commit wilful perjury on examination on oath or affirmation before such court, or who shall corruptly procure, or suborn, any person to commit such wilful perjury, shall and may be prosecuted by indictment or information in any court of justice of the United States, and shall suffer such penalties as are authorized by the laws of the United States in cases of perjury, or the subornation thereof.

Contempt.

Perjury and
subornation of
perjury.

Indictments for
perjury to set
forth what.

And in every prosecution for perjury, or the subornation thereof under this act, it shall be sufficient to set forth the offence charged on the defendant, without setting forth the authority by which the court was held, or the particular matters brought or intended to be brought before said court.

Oath to wit-
nesses.

ARTICLE 14. The following oath shall be administered to witnesses before courts-martial and courts of inquiry :

"You do solemnly swear (or affirm, as the case may be) that the evidence you shall give in the case now before this court shall be the truth, the whole truth, and nothing but the truth, and that you will state everything within your knowledge and recollection in relation to the charges. So help you God," (or this you do under the pains and penalties of perjury.)

Copy of charges
to be furnished
accused.

Other charges
not to be urged
unless, &c.

ARTICLE 15. The person accused shall be furnished with a true copy of the charges, with the specifications, at the time he is put under arrest; nor shall any other charges than those so exhibited be urged against the person to be tried before the court, unless it appear to the court that intelligence of such charge had not reached the officer ordering the court when the person so tried was put under arrest, or that some witness material to the support of such charge, who was at that time absent, can be produced, in which case reasonable time shall be given to the person to be tried to make his defence against such new charge. Every officer so arrested is to deliver up his sword to his commanding officer, and to confine himself to the limits assigned him, under the pain of dismissal from the ser-

Officers under
arrest to deliver
up sword, &c.

Proceedings of
general court-
martial not to be
suspended, &c.

ARTICLE 16. When the proceedings of any general court-martial shall have commenced, they shall not be suspended or delayed on account of the

absence of any of the members, provided five or more be assembled ; but the court is enjoined to sit from day to day, Sundays excepted, until sentence be given, unless temporarily adjourned by the authority which convened the court. And no member of said court shall, after the proceedings are begun, absent himself therefrom, unless in case of sickness or orders to go on duty from a superior officer, on pain of being cashiered.

Members not to absent themselves.

ARTICLE 17. If a member of a court-martial shall, from any legal cause, fail to attend after the commencement of a case, and witnesses shall be examined during his absence, the court must, when he is ready to resume his seat, cause every person who may have been examined in his absence to be called into court, and the recorded testimony of each witness must be read over to him, and such witness must acknowledge the same to be correct, and be subject to such further examination as the said member may require ; and without a compliance with this rule, and an entry of it upon the record, a member who shall have been absent during the examination of a witness shall not be allowed to sit again in that particular case.

Testimony of witnesses examined in his absence to be read to member on his return.

ARTICLE 18. Whenever a court-martial shall sentence an officer to be suspended, the court shall have the power to suspend his pay and emoluments for the whole or any part of the time of his suspension.

Sentence.

ARTICLE 19. All sentences of courts-martial which shall extend to the loss of life shall require the concurrence of two-thirds of the members present, and no such sentence shall be carried into execution until confirmed by the President of the United States. All other sentences may be determined by a majority of votes, and carried into execution on confirmation of the commander of the fleet, or officer ordering the court, except such as go to the dismissal of a commissioned or warrant officer, which are first to be approved by the President of the United States.

Certain sentences requiring concurrence of two-thirds of members present. Other sentences.

ARTICLE 20. Every officer who is by this act authorized to convene courts-martial shall have power on revival of its proceedings to remit or mitigate, but not to commute the sentence of any such court, which by this act he is authorized to approve and confirm.

Officer convening court may remit, &c., but not commute sentence.

ARTICLE 21. It shall be the duty of a court-martial, in all cases of conviction, to adjudge a punishment adequate to the character and nature of the offence committed ; but the members of a court may recommend the person convicted as deserving of clemency, and state on the record their reasons for so doing.

Punishment to be adequate to nature of offences.

ARTICLE 22. The judgment of every court-martial shall be authenticated by the signature of the president, and all the members of the same who may be present when the said judgment shall be pronounced, and also of the judge advocate.

Judgments of courts-martial, how authenticated.

ARTICLE 23. Courts of inquiry may be ordered by the President of the United States, the Secretary of the Navy, or the commander of a fleet or squadron, provided such court shall not consist of more than three members, who shall be commissioned officers, and a judge advocate, or person to do duty as such ; and such courts shall have power to summon witnesses, administer oaths, and punish contempt, in the same manner as courts-martial. But such court shall merely state facts, and not give their opinion unless expressly required so to do in the order for convening ; and the party whose conduct shall be the subject of inquiry, or his attorney, shall have permission to cross-examine all the witnesses.

Courts of inquiry, who may call ;

of whom to consist. Power of court.

ARTICLE 24. The proceedings of the courts of inquiry shall be authenticated by the signature of the president of the court and judge advocate, and shall, in all cases not capital, or extending to the dismissal of a commissioned or warrant officer, be evidence before a court martial, provided oral testimony cannot be obtained.

Proceedings, how authenticated.

ARTICLE 25. The judge advocate, or person officiating as such, shall administer to the members the following oath or affirmation :

Oath to members.

“ You do swear (or affirm) well and truly to examine and inquire,

according to the evidence, into the matter now before you, without partiality or prejudice."

Oath to judge advocate.

After which the president shall administer to the judge advocate, or person officiating as such, the following oath or affirmation :

"You do swear (or affirm) truly to record the proceedings of this court and the evidence to be given in the case in hearing."

Rights of captors in proceeds of vessels, &c., adjudged good prize.

SEC. 2. *And be it further enacted*, That the proceeds of all ships and vessels, and the goods taken on board of them, which shall be adjudged good prize, shall, when of equal or superior force to the vessel or vessels making the capture, be the sole property of the captors; and when of inferior force, shall be divided equally between the United States and the officers and men making the capture.

Distribution of prize money.

SEC. 3. *And be it further enacted*, That the prize money belonging to the officers and men shall be distributed in the following manner :

Commander of fleet, &c.

First. To the commanding officer of a fleet or squadron, one twentieth part of all prize money awarded to a vessel or vessels under his immediate command.

Commander of single ship.

Second. To the commander of a single ship, one tenth part of all prize money awarded to the ship under his command, if such ship, at the time of making the capture, was under the immediate command of the commanding officer of a fleet or squadron, and three-twentieths if his ship was acting independently of such superior officer.

Others doing duty on board.

Third. The share of the commanding officer of the fleet or squadron, if any, and the share of the commander of the ship being deducted, the residue shall be distributed and apportioned among all others doing duty on board, and borne upon the books, according to their respective rates of pay in the service.

Apportionment among vessels within signal distance.

Fourth. When one or more vessels of the navy shall be within signal distance of another making a prize, all shall share in the prize, and money awarded shall be apportioned among the officers and men of the several vessels according to the rates of pay of all on board who are borne upon the books, after deducting one-twentieth to the flag-officer, if there be any such entitled to share.

Who not entitled to share of prize.

Fifth. No commander of a fleet or squadron shall be entitled to receive any share of prizes taken by vessels not under his immediate command; nor of such prizes as may have been taken by ships or vessels intended to be placed under his command before they have acted under his immediate orders; nor shall a commander of a fleet or squadron, leaving the station where he had the command, have any share in the prizes taken by ships left on such station after he has gone out of the limits of his said command, nor after he has transferred his command to a successor.

Persons temporarily absent, &c. may share prize money.

Sixth. No officer or other person who shall have been temporarily absent on duty from the vessel, on the books of which he continued to be borne while so absent, shall be deprived, in consequence of such absence, of any prize money to which he would otherwise be entitled.

Bounty for vessels destroyed, to be divided as prize money.

SEC. 4. *And be it further enacted*, That a bounty shall be paid by the United States for each person on board any ship or vessel-of-war belonging to an enemy at the commencement of an engagement which shall be sunk or otherwise destroyed in such engagement, by any ship or vessel belonging to the United States, or which it may be necessary to destroy in consequence of injuries sustained in action, of one hundred dollars, if the enemy's vessel was of inferior force; and of two hundred dollars, if of equal or superior force; to be divided among the officers and crew in the same manner as prize money; and when the actual number of men on board any such vessel cannot be satisfactorily ascertained, it shall be estimated according to the complement allowed to vessels of their class in the navy of the United States; and there shall be paid as bounty to the captors of any vessel-of-war captured from an enemy, which they may be instructed to destroy, or which shall be immediately destroyed for the

public interest but not in consequence of injuries received in action, fifty dollars for every person who shall be on board at the time of such capture.

SEC. 5. *And be it further enacted,* That the commanding officer of every vessel, or the senior officers of all vessels of the navy, which shall capture or seize upon any vessel or vessels as a prize, shall carefully preserve all the papers and writings found on board, and transmit the whole of the originals, unmutilated, to the judge of the district to which such prize is ordered to proceed, with the necessary witnesses, and a report of the circumstances attending the capture, stating the names of vessels claiming a share thereof; and the commanding officer of every vessel in the navy entitled to, or claiming an award of prize money shall, as early as practicable after the capture, transmit to the Navy Department a complete list of the officers and men of his vessel, entitled to share, inserting thereon the quality of every person rating, on pain of forfeiting his whole share of the prize money resulting from such capture, and suffering such further punishment as a court-martial shall adjudge.

Duty of commanders, &c., in cases of capture of vessels as prize.

SEC. 6. *And be it further enacted,* That any armed vessel in the service of the United States which shall make a capture, or assist in a capture, under circumstances which would entitle a vessel of the navy to prize money, shall be entitled to an award of prize money in the same manner as if such vessel belonged to the navy; and such prize money shall be distributed and apportioned in the same manner and under the same rules and regulations as provided for persons in the naval service, and paid under the direction of the Secretary of the Navy.

Armed vessels making capture to be entitled to prize money.

SEC. 7. *And be it further enacted,* That no person in the navy shall take out of a prize, or vessel seized as a prize, any money, plate, goods, or any part of her equipment, unless it be for the better preservation thereof, or absolutely necessary for the use of any of the vessels or armed forces of the United States, before the same shall be adjudged lawful prize by a competent court; but the whole, without fraud, concealment, or embezzlement, shall be brought in, and judgment passed thereon, upon pain that every person offending herein shall forfeit his share of the capture, and suffer such further punishment as a court-martial shall adjudge.

Property not to be removed from prize.

SEC. 8. *And be it further enacted,* That no person in the navy shall strip off the clothes, or pillage, or in any manner maltreat, persons taken on board a prize, on pain of such punishment as a court-martial shall adjudge.

Persons taken on board prizes, not to be maltreated.

SEC. 9. *And be it further enacted,* That all ransom money, salvage, bounty, or proceeds of forfeiture or confiscation, accruing or awarded to any vessel of the navy, shall be distributed and paid to the officers and men entitled thereto, in the same manner as prize money, under the direction of the Secretary of the Navy.

Ransom money, &c., to be distributed.

SEC. 10. *And be it further enacted,* That any person entitled to wages or prize money may have the same paid to his assignee, provided the assignment be attested by the captain and paymaster; and in case of the assignment of wages, the power shall specify the precise time they commence. But the commander of every vessel is required to discourage his crews from selling any part of their wages or prize money, and never to attest any power of attorney, until he is satisfied that the same is not granted in consideration of money given for the purchase of wages or prize money.

Assignment of wages or prize money.

SEC. 11. *And be it further enacted,* That all money accruing or which has already accrued to the United States from sale of prizes shall be and remain forever a fund for the payment of pensions to the officers, seamen, and marines who may be entitled to receive the same; and if the said fund shall be insufficient for the purpose, the public faith is hereby pledged to make up the deficiency; but if it should be more than

Prize money accruing to the United States, to remain a fund for pensions.

If fund is insufficient.

If there is a surplus.

District attorney in each district to give navy department list of prize cases.

To furnish monthly list.

Secretary of navy may employ counsel to protect interest of captors.

Post, p. 760.

Marshals to furnish to navy department statements of prize vessels and cargoes.

Of fees and allowances.

Fees for disbursements not to be allowed, unless, &c.

Sale.

Proceeds of sale to be deposited with the assistant treasurer of the United States.

Pay of district attorneys, marshals, and prize commissioners.

Pensions to disabled officers, seamen, &c.

Authority of officers to continue over crew, although vessel, &c., is lost.

sufficient, the surplus shall be applied to the making of further provision for the comfort of the disabled officers, seamen, and marines.

SEC. 12. *And be it further enacted,* That the district attorneys of the several districts of the courts of the United States, in which any cases of prize are, or may be depending, shall, as soon as may be after the passage of this act, furnish to the Navy Department a complete list of all the prize cases which have been determined, or may still be pending within their respective districts, with a statement of the condition of each, in such form and embracing such particulars as the Secretary of the Navy may require, and shall, as often as once in each month, thereafter, furnish a further statement of the condition of every case in their respective districts, and of any further proceedings had therein since their last returns.

And the Secretary of the Navy is hereby authorized to appoint an agent or to employ counsel when the captors do not employ counsel themselves, in any case in which he may consider it necessary to assist the district attorneys and protect the interests of the captors, with such compensation as he may think just and reasonable. And it shall be the duty of the several marshals of the United States to furnish to the Navy Department on request, or to its agent, a full and particular statement of the disposition of every prize vessel and cargo, in such form and with such details as the Secretary of the Navy may require, and as often as he may require the same; and said marshals shall also furnish to the Navy Department or their aforesaid agent, a full and particular statement of all fees, charges, and allowances of every description, claimed by them in each case of prize, before the same are allowed by the court, and no such charges for disbursements of any kind, shall be allowed, unless accompanied by the affidavit of the marshal that the same have been actually and necessarily incurred in the case; and it shall be the duty of the district attorney to attend on the settlement and allowance of all such bills and protect the interests of the United States and of the captors against any improper and unlawful claims. And whenever a final decree of condemnation shall have been made, or any interlocutory sale has been ordered, the property shall be sold by the marshal pursuant to the practice and proceedings in admiralty, and the gross proceeds of such sale shall be forthwith deposited with the assistant treasurer of the United States, at, or nearest to, the place where such sale is made, and the money so deposited shall remain in the Treasury of the United States until a final decree of distribution, or until a decree of restitution shall be made, and a certified copy thereof furnished, upon which the costs of court, and the lawful charges and expenses shall be paid, and the balance distributed according to said decree: *Provided,* That the annual salaries of district attorneys, prize commissioners, and marshals shall in no case be so increased under the several acts for compensation in prize so as to exceed, in the aggregate, the following sums, and any balance beyond the several sums shall be paid into the Treasury, viz.: District attorneys, six thousand dollars. Prize commissioners, three thousand dollars. Marshals, six thousand dollars.

SEC. 13. *And be it further enacted,* That every officer, seaman, or marine, disabled in the line of his duty, shall be entitled to receive for life, or during his disability, a pension from the United States, according to the nature and degree of his disability, not exceeding in any case his monthly pay.

SEC. 14. *And be it further enacted,* That in all cases where the crews of the ships or vessels of the United States shall be separated from their vessels, by the latter being wrecked, lost, or destroyed, all the command, power, and authority given to the officers of such ships or vessels shall remain and be in full force as effectually as if such ship or vessel were not so wrecked, lost, or destroyed, until such ship's company be regularly

discharged from, or ordered again into, the service, or until a court-martial or court of inquiry shall be held to inquire into the loss of such ship or vessel; and if, by the sentence of such court or other satisfactory evidence, it shall appear to the Secretary of the Navy that all or any of the officers and men of such ship's company did their utmost to preserve her, and after the loss thereof behaved themselves agreeably to the discipline of the navy, then the pay and emoluments of such officers and men, or such of them as shall have done their duty, as aforesaid, shall go on until their discharge or death; and every officer or man who shall, after the loss of such vessel, act contrary to the discipline of the navy, shall be punished, at the discretion of a court-martial, in the same manner as if such vessel had not been so lost.

SEC. 15. *And be it further enacted*, That all the pay and emoluments of the officers and men, of any of the ships or vessels of the United States taken by an enemy, who shall appear by the sentence of a court-martial, or otherwise, to have done their utmost to preserve and defend their ship or vessel, and after the taking thereof, have behaved themselves obediently to their superiors, agreeably to the discipline of the navy, shall go on, and be paid them until their death, exchange, or discharge.

Pay, &c., of officers and men of any ship taken by an enemy, to continue, if, &c.

SEC. 16. *And be it further enacted*, That each commanding officer shall, whenever a man enters on board, cause an accurate entry to be made in the ship's books of his name, the date, place, and term of his enlistment, the place or vessel from which he was received on board, his rating, and his descriptive list to include his age, place of birth, and citizenship, with such remarks as may be necessary; and shall, before sailing, transmit to the Secretary of the Navy a complete list or muster-roll of the rated men under his command, showing the particulars above set forth, and also a list of officers and passengers with the date of their entering; and he shall cause similar lists to be made out on the first day of every third month, to be transmitted to the Secretary of the Navy, as opportunities shall occur; accounting in such lists or muster-rolls for any casualties which may have taken place since the last list or muster-roll. He shall not receive on board any man transferred from any other vessel or station to him unless such man be furnished with an account, signed by the captain and paymaster of the vessel or station from which he came, specifying the date of his entry, the period and term of service, the sums paid, the balance due him, the quality in which he was rated, and his descriptive list. He shall cause to be accurately minuted on the ship's books the names of and times at which any death or desertion may occur; and in case of death, shall take care that the paymaster secure all the property of the deceased for the benefit of his legal representative or representatives. He shall cause frequent inspections to be made into the condition of the provisions, and use every precaution for their preservation. He shall, whenever he orders officers and men to take charge of a prize and proceed to the United States, and whenever officers or men are sent from his ship, for whatever cause, take care that each man be furnished with a complete statement of his account, specifying the date of his enlistment, the periods and terms of his service, and his descriptive list; which account shall be signed by the commanding officer and paymaster. He shall cause the articles for the government of the navy to be hung up in some public part of the ship, and read once a month to his ship's company. He shall cause a convenient place to be set apart for sick or disabled men, to which he shall have them removed, with their hammocks and bedding, when the surgeon shall so advise, and shall direct that some of the crew attend them and keep the place clean. He shall frequently consult with the surgeon in regard to the sanitary condition of his crew, and shall use all proper means to preserve their health, and when his crew is finally paid off he shall attend in person, or appoint a proper officer, to see that justice

List or muster-roll of men.

Duty of commanders of vessels as respects their men, &c.

be done to the men and to the United States in the settlement of the accounts. Any commanding officer offending herein shall be punished at the discretion of a court-martial.

Petty officers and persons of inferior ratings to be sent to an Atlantic port if, &c.

SEC. 17. *And be it further enacted*, That it shall be the duty of the commanding officer of any fleet, squadron, or vessel acting singly, when on service, to send to an Atlantic port of the United States in some public or other vessel, all petty officers and persons of inferior ratings desiring to go there at the expiration of their terms of service, or as soon thereafter as may be, unless in his opinion the detention of such persons for a longer period should be very essential to the public interests; in which case he may detain them or any of them until the vessel to which they belong shall return to such Atlantic port; and in case of such detention the person so sent home, or so detained, shall be subject in all respects to the laws and regulations for the government of the Navy, until their return to an Atlantic port, and their regular discharge; and all persons who shall be so detained beyond their terms of service, or who shall, after the termination of their service voluntarily reënter to serve until the return to an Atlantic port of the vessel to which they belong, and their regular discharge therefrom, shall for the time during which they are so detained, or shall so serve beyond their original terms of service, which shall in no case exceed thirty days after their arrival in an Atlantic port, receive an addition of one-fourth of their former pay: *Provided*, That the shipping articles shall hereafter contain the substance of this section.

Who to be deemed petty officers.

SEC. 18. *And be it further enacted*, That all officers not holding commissions or warrants, or who are not entitled to them, except, such as are temporarily appointed to the duties of a commissioned or warrant officer, or secretaries and clerks, shall be deemed petty officers, and shall be entitled to obedience in the execution of their offices from those of inferior ratings.

Copy of regulations, &c. to be given officers.

SEC. 19. *And be it further enacted*, That the Secretary of the Navy shall cause each commissioned or warranted officer of the navy, on his entry into the service, to be furnished with a copy of the regulations and general orders of the department then in force, and thereafter with a copy of all such as may be issued.

Repeal of inconsistent provisions.

SEC. 20. *And be it further enacted*, That all provisions of previous laws which are inconsistent with those of this act, shall be and are hereby repealed.

APPROVED, July 17, 1862.

July 17, 1862.

CHAP. CCV. — *An Act requiring the Commanders of American Vessels sailing to foreign Ports and Persons prosecuting Claims, to take the Oath of Allegiance.*

Commanders of American vessels sailing to foreign ports, and persons prosecuting claims, to take oath of allegiance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commanders of all American vessels sailing from ports in the United States to foreign ports, during the continuance of the present rebellion, and all persons prosecuting claims either as attorney or on his own account, before any of the departments or bureaus of the United States, shall be required to take the oath of allegiance, and to support the Constitution of the United States, (or affirm, as the case may be,) as required of persons in the civil service of the United States by the provisions of the act of Congress approved August sixth, eighteen hundred and sixty-one.

1861, ch. 64. *Ante*, p. 326.

Who may administer oath.

SEC. 2. *And be it further enacted*, That the oath or affirmation herein provided for in the first section of this act may be taken before any justice of the peace, notary public, or other person who is legally authorized to administer an oath in the State or district where the same may be administered; and that any violation of such oath by any person or persons taking the same shall subject the offender to all the pains and penalties of wilful and corrupt perjury, who shall be liable to be indicted and prosecuted to conviction for any such offence before any court having competent jurisdiction thereof.

Penalty for violation of oath.

APPROVED, July 17, 1862.

RESOLUTIONS.

[No. 1.] *Joint Resolution expressive of the Recognition by Congress of the gallant and patriotic Services of the late Brigadier General Nathaniel Lyon, and the Officers and Soldiers under his Command at the Battle of Springfield, Missouri.* Dec. 24, 1861.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, 1. That Congress deems it just and proper to enter upon its records a recognition of the eminent and patriotic services of the late Brigadier General Nathaniel Lyon. The country to whose service he devoted his life will guard and preserve his fame as a part of its own glory. Services of the late Brigadier General Nathaniel Lyon recognized.

2. That the thanks of Congress are hereby given to the brave officers and soldiers who, under the command of the late General Lyon, sustained the honor of the flag and achieved victory against overwhelming numbers at the battle of Springfield, in Missouri; and that, in order to commemorate an event so honorable to the country and to themselves, it is ordered that each regiment engaged shall be authorized to bear upon its colors the word "Springfield," embroidered in letters of gold; and the President of the United States is hereby requested to cause these resolutions to be read at the head of every regiment in the army of the United States. Thanks to officers and soldiers in the battle of Springfield.

APPROVED, December 24, 1861.

[No. 2.] *Joint Resolution explanatory of an Act entitled "An Act to increase the Duties on Tea, Coffee, and Sugar," approved twenty-fourth of December, eighteen hundred and sixty-one.* January 11, 1862.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be and is hereby authorized and directed to permit goods warehoused at the date of the passage of "An act to increase the duties on tea, coffee, and sugar," approved December twenty-fourth, eighteen hundred and sixty-one, to be withdrawn on payment of the duties imposed by the act entitled "An act to provide an increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one; and to refund any excess of duties above those imposed by said last mentioned act, which may have been collected on such goods already withdrawn, any laws or parts of laws to the contrary notwithstanding. Certain goods in warehouse to pay duties under former act. 1862, ch. 2. Ante, p. 330. 1861, ch. 45. Ante, p. 292. Excess of duties paid to be refunded.

APPROVED, January 11, 1862.

[No. 3.] *Joint Resolution authorizing Henry Sawyer to accept a Medal.* January 11, 1862.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Henry Sawyer, consul to Surinam, be and he is hereby authorized to accept the medal recently transmitted to him by the King of Holland, for an act of humanity in an effort to save the life of a subject of that kingdom. Henry Sawyer may accept a medal.

APPROVED, January 11, 1862.

January 18, 1862.

[No. 4.] *Joint Resolution for the Sale of the Ruins of the Washington Infirmary.*

Ruins of
"Washington
Infirmary" to be
sold at auction.

Proceeds.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Public Buildings be and hereby is directed to sell at public auction all the material, building and otherwise, now remaining on Judiciary Square, of the late "Washington Infirmary," with the condition that the same be removed by the purchaser or purchasers within a reasonable time from the day of sale, to be fixed by the Commissioner, and the avails of said sale may be used by the Commissioner to pay for the taking care of said property since the fire, and to the improvement of said Judiciary Square, he rendering his accounts in the usual manner to the Treasury for the same.

APPROVED, January 18, 1862.

January 21, 1862.

[No. 5.] *Joint Resolution authorizing the Secretary of the Treasury to transfer certain Balances of an Appropriation for Printing of the second Session of the Thirty-sixth Congress, to the Sum appropriated for the first Session of the Thirty-sixth Congress.*

Appropriation
for printing of 2d
session of 36th
Congress trans-
ferred to that of
1st session 36th
Congress.

Whereas the appropriation for supplying the deficiencies in the appropriations for printing ordered to be executed by the first session of the Thirty-sixth Congress has been exhausted, leaving a balance to be provided for of five thousand six hundred and eight dollars and seventy-one cents, and said printing having been completed; and whereas there remains of the appropriation for printing ordered at the second session of the Thirty-sixth Congress a balance of twenty-five thousand six hundred and eight dollars and fifty-five cents, which will not be required, as the printing for the second session Thirty-sixth Congress has been completed and paid for, Therefore

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be directed to transfer from the balance of the appropriation now standing to the credit of said appropriation on the books of the treasury for printing for the second session Thirty-sixth Congress, a sum sufficient to meet the outstanding claim for printing for the first session Thirty-sixth Congress.

APPROVED, January 21, 1862.

January 21, 1862.

[No. 6.] *Joint Resolution declaratory of the Purpose of Congress to Impose a Tax.*

Tax to be
imposed.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to pay the ordinary expenses of the Government, the interest on the national loans, and have an ample sinking fund for the ultimate liquidation of all public debts, a tax shall be imposed which shall, with the tariff on imports, secure an annual revenue of not less than one hundred and fifty million dollars.

APPROVED, January 21, 1862.

January 25, 1862.

[No. 7.] *A Resolution authorizing certain Officers of the Navy to accept Presents offered by the Japanese Government.*

Presents to
navy officers from
the Japanese
Government.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain W. W. McKean, commander of the United States steam frigate Niagara, and such of the officers of that vessel during her late voyage to Japan, and other officers of the navy as may yet remain in the service of the United States, be authorized to accept the presents recently transmitted to this Government for presentation to them by the Government of Japan.

APPROVED, January 25, 1862.

[No. 8.] *A Resolution for Payment of the Expenses of the Joint Committee of Congress appointed to inquire into the Conduct of the War.* January 27, 1862.
Post, p. 824.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of ten thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated, to pay the expenses of the Joint Committee of Congress, appointed to inquire into the conduct of the present war; and that said sum shall be drawn from the Treasury, upon the order of the Secretary of the Senate, as the same shall be required from time to time by the committee having such investigation in charge.

Appropriation for joint committee on conduct of war.

APPROVED, January 27, 1862.

[No. 9.] *A Resolution in Relation to Allotment Certificates of Pay to Persons held as Prisoners of War in the so-called Confederate States.* February 6, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized to procure from such officers and enlisted men of the United States army as are now or hereafter may be held as prisoners of war in the so called Confederate States, from time to time, their respective allotments of their pay to their families or friends, certified by them in writing, and only attested in pursuance of such orders as may be made for that purpose by the Secretary of War, and upon which certified allotment the said Secretary of War shall cause drafts to be made payable in the city of New York, or Boston, to the order of such persons to whom said allotments were, or may be made, and to remit said drafts to the address of such person as may be designated in said allotment tickets.

Allotment certificates from prisoners of war in the so called Confederate States.

APPROVED, February 6, 1862.

[No. 10.] *A Resolution for the Collection of War Statistics.* Feb. 22, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to develope, concentrate, and bring into effective action the mechanical and other resources of the United States, for the suppression of the rebellion and the future defence of this Government, the Superintendent of the Census be authorized to furnish the Secretary of War with such war statistics, as from time to time, the Secretary may judge necessary for the use of his Department.

War statistics to be collected.

APPROVED, February 22, 1862.

[No. 11.] *A Resolution tendering the Thanks of Congress to Captain Samuel F. Dupont, and Officers, Petty Officers, Seamen, and Marines under his Command, for the Victory at Port Royal.* Feb. 22, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be and they are hereby tendered to Captain Samuel F. Dupont, and through him to the officers, petty officers, seamen, and marines attached to the squadron under his command, for the decisive and splendid victory achieved at Port Royal, on the seventh day of November last.

Thanks for the victory at Port Royal.

APPROVED, February 22, 1862.

[No. 12.] *A Resolution giving the Thanks of Congress to the Officers, Soldiers, and Seamen of the Army and Navy, for their Gallantry in the recent brilliant Victories over the Enemies of the Union and the Constitution.* Feb. 22, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress are due and are hereby tendered to the officers, soldiers, and seamen of the army and navy of the United States, for the heroic gallantry that, under the

Thanks to the Army and Navy.

Providence of Almighty God, has won the recent series of brilliant victories over the enemies of the Union and the Constitution.

APPROVED, February 22, 1862.

Feb. 22, 1862. [No. 13.] *A Resolution for the Relief of the loyal Portion of the Creek, Seminole, Chickasaw, and Choctaw Indians.*

Relief of loyal Creeks, Seminoles, Chickasaws, and Choctaws.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be authorized to pay out of the annuities payable to the Seminoles, Creeks, Choctaws, and Chickasaws, and which have not been paid, in consequence of the cessation of intercourse with those tribes, so much of the same as may be necessary to be applied to the relief of such portions of said tribes as have remained loyal to the United States, and have been or may be driven from their homes in the Indian Territory into the State of Kansas or elsewhere.

APPROVED, February 22, 1862.

Feb. 22, 1862. [No. 14.] *A Resolution providing a Stenographer for the Joint Committee appointed to inquire into the Conduct of the War.*

Stenographer to committee on the conduct of the war.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint committee on the conduct of the present war be authorized to employ a stenographer, who shall be paid by the Secretary of the Senate out of the money already appropriated to meet the expenses of said committee, at the same rate of compensation as that received by the reporters for the Congressional Globe.

APPROVED, February 22, 1862.

March 6, 1862. [No. 15.] *Joint Resolution in Relation to certain Railroads in the State of Missouri.*

Pay to certain railroads in Missouri for transportation of troops, &c.

Whereas by the fourth section of an act of Congress entitled "An act granting the right of way to the State of Missouri, and a portion of the public lands to aid in the construction of certain railroads in said State," approved June the tenth, eighteen hundred and fifty-two, it is provided as follows: "That the said lands, hereby granted to the said State, shall be subject to the disposal of the legislature thereof, for the purposes aforesaid and no other; and the said railroads shall be and remain public highways for the use of the government of the United States, free from toll or other charge upon the transportation of any property or troops of the United States"; and whereas the said grant of lands has, by virtue of said act, and of an act of the legislature of the State of Missouri, been applied in the construction of the Hannibal and Saint Joseph railroad, constructed and owned by the Hannibal and Saint Joseph Railroad Company, and the Pacific railroad by the Pacific Railroad Company, which last-mentioned road is finished and running from St. Louis to Rolla; and whereas the ability of said railroad companies to transport the property and troops of the United States over their respective railroads has been greatly impaired by the destruction of bridges, depots, and other property of said companies, and the partial destruction of said roads, and in view of the pressing public necessities, the United States, not waiving the right to have their property and troops transported free from toll or other charge by said railroads, as contemplated by the reservation aforesaid, have resolved as follows: Therefore be it

1852, ch. 45, § 4.
Vol. x. p. 9.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized to make such an adjustment with the Hannibal and Saint Joseph Railroad Company and the Pacific Railroad Company, for the transportation, past and prospective, of the property and troops of the

United States, over said railroads during the existence of this rebellion, as in view of the public exigency may be just and reasonable, and liquidate the same: *Provided, however,* That the sums paid to said companies shall be as near as may be the cost of transporting such property and troops, and not exceeding the prices fixed by the War Department on the twelfth day of July, eighteen hundred and sixty-one, for transportation by railroads, which adjustment and liquidation shall preclude any further claim on behalf of such companies against the Government for compensation or damages previously accrued, or for the military occupation of the said roads by the United States Government up to the time of the passage of this act: *And provided further,* That the Secretary of War may, in his discretion, withhold from time to time such portion of the moneys which may be due to either of said railroad companies, to indemnify the Government against any failure of such company to promptly transport such troops and supplies; but nothing herein shall be so construed as to prevent the Secretary of War from taking possession of said railroads and their appurtenances, and applying the same to the exclusive use of the Government whenever, in his judgment, the public interests may require it, without, in such case, compensation to said companies.

Pay not to exceed, &c.

Part may be withheld.

Railroads may be taken possession of.

APPROVED, March 6, 1862.

[No. 16.] *A Resolution declaratory of the Intent and Meaning of a certain Act therein named.*

March 8, 1862.

Whereas doubts have arisen as to the true intent and meaning of act numbered eighteen, entitled "An act to indemnify the States for expenses incurred by them in defence of the United States," approved July twenty-seven, eighteen hundred and sixty-one:

1861, ch. 21.
Ante, p. 276.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said act shall be construed to apply to expenses incurred as well after as before the date of the approval thereof.

Indemnity to States for war expenses.

APPROVED, March 8, 1862.

[No. 18.] *A Resolution providing for the Payment of the Awards of the Commission to investigate the military Claims in the Department of the West.*

March 11, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all sums allowed to be due from the United States to individuals, companies, or corporations, by the Commission heretofore appointed by the Secretary of War, (for the investigation of military claims against the Department of the West), composed of David Davis, Joseph Holt, and Hugh Campbell, now sitting at St. Louis, Missouri, shall be deemed to be due and payable, and shall be paid by the disbursing officers, either in St. Louis or Washington, in each case, upon the presentation of the voucher with the Commissioners' certificate thereon, in any form, plainly indicating the allowance of the claim and to what amount. This resolution shall apply only to claims and contracts for service, labor, or materials, and for subsistence, clothing, transportation, arms, supplies, and the purchase, hire, and construction of vessels.

Payment of awards of commissioners on military claims in the Department of the West.

APPROVED, March 11, 1862.

[No. 19.] *A Resolution to amend an Act entitled "An Act to carry into Effect Conventions between the United States and the Republics of New Grenada and Costa Rica."*

March 15, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act to carry into effect conventions between the United States and the Republics of New Grenada and Costa Rica," approved the twentieth day

Unwilling witness may be compelled to testify.

1861, ch. 45, §§ 6, 13.
Ante, p. 145.

of February, eighteen hundred and sixty-one, be amended in its sixth and thirteenth sections, so that when a witness refuses or is unwilling to testify, under the provisions of the said act, the proceedings to compel his testimony may be at the suggestion of either party, instead of at the suggestion of any claimant, as is provided in the said act.

APPROVED, March 15, 1862.

March 15, 1862. [No. 20.] *A Resolution providing for the Custody of the Letter and Gifts from the King of Siam.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the letter from His Majesty the Major King of Siam to the President of the United States and the accompanying gifts, be deposited in the collection of curiosities at the Department of the Interior.

APPROVED, March 15, 1862.

March 17, 1862. [No. 21.] *Joint Resolution authorizing the Secretary of the Navy to inquire into the Causes of the Failure of certain Contracts for Steam Machinery, and to remit Penalties connected therewith.*

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he hereby is, authorized and empowered to inquire into the circumstances attending the failure of certain contractors for building steam machinery, to deliver the same within the time specified in their several contracts; and to remit the whole of the penalties for such failure, or a part thereof, as to him may seem just and equitable.

APPROVED, March 17, 1862.

March 19, 1862. [No. 22.] *A Resolution to authorize the Secretary of War to accept Moneys appropriated by any State for the Payment of its Volunteers, and to apply the same as directed by such State.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That if any State during the present rebellion shall make any appropriation to pay the volunteers of that State, the Secretary of War is hereby authorized to accept the same, and cause it to be applied by the paymaster-general to the payments designated by the legislative act making the appropriation, in the same manner as if appropriated by act of Congress; and also to make any regulations that may be necessary for the disbursement and proper application of such funds to the specific purpose for which they may be appropriated by the several States.

APPROVED, March 19, 1862.

March 19, 1862. [No. 23.] *A Resolution expressive of the Thanks of Congress to Captain A. H. Foote, of the United States Navy, and to the Officers and Men under his Command in the Western Flotilla.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress and of the American people are due, and are hereby tendered, to Captain A. H. Foote, of the United States navy, and to the officers and men of the western flotilla under his command, for the great gallantry exhibited by them in the attacks upon Forts Henry and Donaldson, for their efficiency in opening the Tennessee, Cumberland, and Mississippi rivers to the pursuits of lawful commerce, and for their unwavering devotion to the cause of the country in the midst of the greatest difficulties and dangers.

APPROVED, March 19, 1862.

[No. 24.] *Joint Resolution for the Appointment of Theodore D. Woolsey, of Connecticut, a Regent of the Smithsonian Institution, in place of Cornelius C. Felton, deceased.* April 2, 1862.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than members of Congress, caused by the decease of Cornelius C. Felton, be filled by the appointment of Theodore D. Woolsey, of Connecticut.

Regent of
Smithsonian In-
stitution.

APPROVED, April 2, 1862.

[No. 25.] *A Resolution to authorize the President to assign the Command of Troops in the same Field or Department to Officers of the same Grade without Regard to Seniority.* April 4, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever military operations may require the presence of two or more officers of the same grade in the same field or department, the President may assign the command of the forces in such field or department without regard to seniority of rank.

Command of
troops in field,
how may be as-
signed.

APPROVED, April 4, 1862.

[No. 26.] *Joint Resolution declaring that the United States ought to cooperate with, affording pecuniary Aid to any State which may adopt the gradual Abolishment of Slavery.* April 10, 1862.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States ought to cooperate with any State which may adopt gradual abolishment of slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system.

The United
States should aid
any State in the
gradual abolition
of slavery.

APPROVED, April 10, 1862.

[No. 27.] *Joint Resolution authorizing the Secretary of the Navy to test Plans and Materials for rendering Ships and floating Batteries invulnerable.* April 10, 1862.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be and he hereby is authorized to expend, out of any money in the treasury not otherwise appropriated, a sum not exceeding twenty-five thousand dollars, for the purpose of testing plans and materials for rendering ships or floating batteries invulnerable.

Tests of invul-
nerability of ships
and floating bat-
teries.

APPROVED, April 10, 1862.

[No. 28.] *A Resolution transferring the Supervision of the Capitol Extension and the Erection of the new Dome to the Department of the Interior.* April 16, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the supervision of the Capitol extension and the erection of the new dome be and the same is hereby transferred from the War Department to the Department of the Interior. And all unexpended money which has been heretofore appropriated, and all money which may be hereafter appropriated for either of the improvements heretofore mentioned, shall be expended under the direction and supervision of the Secretary of the Interior: *Provided,* That no money heretofore appropriated shall be expended upon the Capitol until authorized by Congress, except so much as is necessary to protect the building from injury by the elements and to complete the dome.

Supervision of
Capitol exten-
sion and new
dome transferred
to Department of
the Interior.
Expenditure
of appropriations.

APPROVED, April 16, 1862.

April 24, 1862. [No. 29.] *Joint Resolution to supply the Smithsonian Institution with Volumes of Wilkes' Exploring Expedition.*

Smithsonian Institution to have copy of Wilkes' Exploring Expedition.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the officer in charge of the Library of Congress be, and he is hereby, directed to furnish to the officer in charge of the Smithsonian Institution a copy of each of the volumes of the Exploring Expedition of Captain Wilkes, now in the possession of the Library.

APPROVED, April 24, 1862.

April 25, 1862. [No. 30.] *A Resolution explanatory of and in Addition to the Act of June third, eighteen hundred and fifty-six, granting public Lands to the State of Wisconsin to aid in the Construction of Railroads in said State.*

Construction of word "northerly" in act 1856, ch. 43, § 1. Vol. xi. p. 20.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the word "northerly," in the first section of the act entitled "An act granting public lands to the State of Wisconsin to aid in the construction of railroads in said State," approved June third, eighteen hundred and fifty-six, shall, without forfeiture to said State or its assigns of any rights or benefits under said act, or exemption from any of the conditions or obligations imposed thereby, be construed to authorize the location of the line of railroad in said first section provided for, upon any eligible route within ranges sixteen to twenty-three, inclusive, east of the fourth principal meridian. And the line of railroad as now located according to the records of the General Land Office in pursuance of said act is hereby authorized to be changed to within the above specified limits: *Provided, however,* That upon the construction of said railroad upon the new line, or of a sufficient part thereof, according to the terms of said act, the State of Wisconsin, its grantees or assigns, shall receive upon the route originally located, and in the manner prescribed by the act, the same quantity of lands, and no more or other, except as hereinafter provided for, as it or they would have received if such railroad had been constructed upon the line originally located.

State to receive same quantity of lands, &c.

Grant of land to railroad in Wisconsin.

SEC. 2. *And be it further resolved,* That there be and is hereby granted to the State of Wisconsin, for the purpose of aiding in the construction of a railroad from the town of Appleton, in said State, to some point on Green Bay, at or near the mouth of Fox River, in said State, so much of the public lands of the United States lying at or near the mouth of said river, in the county of Brown and State of Wisconsin, known as the Fort Howard Military Reserve, as may be required for right of way, tracks, turnouts, depots, workshops, warehouses, wharves, and other railroad uses, not exceeding eighty acres, to be so selected by the State of Wisconsin or her assigns as to exclude the fort therefrom: *Provided, however,* That if no railroad be constructed and in running order between the termini in this section mentioned within three years from the passage of this joint resolution, then this grant shall be void.

Lands on line of railroad, how to be disposed of.

SEC. 3. *And be it further resolved,* That the Secretary of the Interior be and he is hereby authorized to cause all even sections or parts of even sections of public land that may be brought within six miles of the new line of railroad, as herein provided for, to be sold at the same price and in the same manner as those have been upon the originally located route of railroad. And all purchasers, or their heirs or assigns, within the six-mile limits of the said originally located route, who shall be more than six miles from the new line of route herein authorized, and who have paid the sum of two dollars and fifty cents an acre, shall have the right either to exchange their locations upon the line as first established to the new line, upon the same terms, in like quantities, and in the same manner, as on the line first established as aforesaid, or, at their option, to enter without further payment, anywhere within the Menasha land district, in the

State of Wisconsin, an additional quantity of public lands subject to private entry at one dollar and twenty-five cents an acre equal to the quantity entered by them at two dollars and fifty cents an acre, so that the lands originally entered by them shall thus be reduced to the rate of one dollar and twenty-five cents an acre.

SEC. 4. *And be it further resolved*, That the even sections of public lands reserved to the United States by the aforesaid act of June third, eighteen hundred and fifty-six, along the originally located route of railroad north of the said town of Appleton, and along which no railroad has been constructed, shall hereafter be sold at one dollar and twenty-five cents an acre. Even sections of land, price of.

APPROVED, April 25, 1862.

[No. 32.] *Joint Resolution relating to the Time of holding the second Session of the Legislative Assembly of the Territory of Colorado.* May 21, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the second session of the Legislative Assembly of the Territory of Colorado, now fixed by law for the first Monday of June, one thousand eight hundred and sixty-two, shall be postponed by proclamation of the Governor of said Territory until the first Monday in July, A. D. one thousand eight hundred and sixty-two. Time of holding second session of legislative assembly of Colorado.

APPROVED, May 21, 1862.

[No. 34.] *A Joint Resolution authorizing the Payment of certain Moneys heretofore appropriated for the Completion of the Washington Aqueduct.* June 14, 1862.

WHEREAS by act of Congress, approved June twenty-five, eighteen hundred and sixty, there was appropriated for the completion of the Washington Aqueduct five hundred thousand dollars, to be expended according to the plans and estimates of Captain Meigs and under his superintendence; and whereas, while the work was in progress and before it was completed, Captain Meigs was removed from such superintendence, and certain parties have claims for work done and materials furnished to and for the completion of said aqueduct which have not been paid: Therefore, 1860, ch. 211. Ante, p. 106.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the superintendent of the Washington Aqueduct be, and he is hereby, authorized to pay to Robert McIntyre and others, according to the amount of their respective claims, for work done and materials furnished for the Washington Aqueduct, under the direction of Captain H. W. Benham and Lieutenant James St. C. Morton, such sum of money as may be necessary, not to exceed five thousand six hundred and six dollars and sixty cents, out of the sum of money heretofore appropriated as aforesaid: *Provided*, That no sum or sums of money shall be paid under this resolution except such as shall be certified to be just and equitable by General M. C. Meigs. Payment to Robert McIntyre and others.

Proviso.

APPROVED, June 14, 1862.

[No. 35.] *Joint Resolution to change the Name of the Barque "Quebec" to the "General Burnside."* June 17, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of the barque "Quebec," late of Kingston, Canada, be changed to that of "General Burnside," of Clayton, New York, and that the Secretary of the Treasury be authorized to issue a register therefor. The name of the barque "Quebec" changed to the "General Burnside."

APPROVED, June 17, 1862.

June 18, 1862. [No. 36.] *Joint Resolution transferring [the] Supervision of [the] Potomac Water-works to the Department of the Interior.*

Supervision of Potomac water-works transferred to Department of Interior. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the supervision of the Potomac water-works be and the same is hereby transferred from the War Department to the Department of the Interior. And all unexpended money which has been heretofore appropriated, and all money which may be hereafter appropriated, for the completion of said water-works, shall be expended under the direction and supervision of the Secretary of the Interior.

APPROVED, June 18, 1862.

June 21, 1862. [No. 37.] *A Resolution to encourage Enlistments in the Regular Army and Volunteer Forces.*

Premium for recruits. *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That so much of the ninth section of the act approved August third, eighteen hundred and sixty-one, entitled, "An act [providing] for the better organization of the military establishment," as abolishes the premium paid for bringing accepted recruits to the rendezvous, be and the same is hereby repealed, and hereafter a premium of two dollars shall be paid to any citizen, non-commissioned officer or soldier for such accepted recruit for the regular army he may bring to the rendezvous. And every soldier who hereafter enlists, either in the regular army or the volunteers, for three years or during the war, may receive his first month's pay in advance, upon the mustering of his company into the service of the United States, or after he shall have been mustered into and joined a regiment already in the service.

Repeal of part of act of 1861, ch. 42, § 9. *Ante*, p. 288.

Advance pay.

APPROVED, June 21, 1862.

July 5, 1862. [No. 38.] *Joint Resolution relative to a certain Grant of Land for Railroad Purposes made to the State of Michigan in eighteen hundred and fifty-six.*

Words "Wisconsin State line," in act 1856, ch. 44, § 1, how to be construed. *Vol. xi. p. 21.* *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the words "Wisconsin State line," in the first section of an act entitled "An act making a grant of lands to the State of Michigan, in alternate sections, to aid in the construction of railroads in said State," approved June third, eighteen hundred and fifty-six, shall, without forfeiture to said State or its assigns of any rights or benefits under said act, or exemption from any of the conditions or obligations imposed thereby, be construed to authorize the location of the line of railroad provided for in said act from Marquette, on Lake Superior, to the Wisconsin State line, upon any eligible route from the township of Marquette aforesaid, to a point on the Wisconsin State line, near the mouth of the Menomonee River, and touching at favorable points on Green Bay, with a view of securing a railroad available for military purposes from Green Bay to the waters of Lake Superior. And the line of railroad as now located in pursuance of said act from Marquette to the Wisconsin State line, according to the records of the General Land Office, is hereby authorized to be changed so as to conform to the route above indicated; which line, when surveyed and the maps and plans thereof filed in the proper office, as required under said act of June third, eighteen hundred and fifty-six, shall confer the same rights upon and benefits to the State of Michigan and its assigns in said new line, as though the same had been originally located under said act.

Line now located may be changed.

Provisions of act of 1852, ch. 80, extended, &c. *Vol. x. p. 23.* SEC. 2. *And be it further resolved,* That the provisions of an act of Congress, approved August fourth, eighteen hundred and fifty-two, entitled "An act to grant the right of way to all rail and plank roads and

McAdamized turnpikes passing through the public lands belonging to the United States," be, and the same are hereby, extended so as to be applicable to the new line of railroad so as above to be located: *Provided*, The same shall be commenced within two years from the fourth day of August, eighteen hundred and sixty-two, and shall be completed within five years thereafter.

Proviso.

SEC. 3. *And be it further resolved*, That the Secretary of the Interior be, and he is hereby, authorized to cause all even sections or parts of even sections of public lands that may be brought within six miles of the new line of railroad, as herein provided for, to be sold at the same price and in the same manner those have or might have been, according to the said act of June third, eighteen hundred and fifty-six, upon the originally located route of railroad. And all purchasers, or their heirs or assigns, within the six mile limits of said originally located route, who shall be more than six miles from the new line of route hereby authorized, and who have paid the sum of two dollars and fifty cents an acre, shall have the right either to exchange their locations upon the line as first established to the new line upon the same terms, in like quantities, and in the same manner, as on the line first established, as aforesaid, or at their option to enter, without further payment, anywhere within the Marquette land district, in the State of Michigan, or that of the Grand Traverse land district, in said State, lying north or west of Lake Michigan, an additional quantity of public lands subject to private entry, at one dollar and twenty-five cents an acre, equal to the quantity entered by them at two dollars and fifty cents per acre, so that the lands originally entered by them shall be thus reduced to the rate of one dollar and twenty-five cents an acre.

Price of land bordering on railroad.

Purchasers on old line, may exchange lands.

SEC. 4. *And be it further resolved*, That the even sections of public lands reserved to the United States by the aforesaid act of June third, eighteen hundred and fifty-six, along the originally located route of the Marquette and Wisconsin State Line Railroad Company, except where such sections shall fall within six miles of the new line of road so as aforesaid proposed to be located, and along which no railroad has been constructed, shall hereafter be subject to sale at one dollar and twenty-five cents per acre.

Public lands on old line to be sold for \$1.25 per acre.

SEC. 5. *And be it further resolved*, That upon the filing in the General Land Office of the lists of said railroad lands, in whole or in part, as now selected and certified in the General Land Office, with the certificate of the Governor of the State of Michigan, under the seal of the State, that said State and its assigns surrender all claim to the lands, as aforesaid, set forth and described in the lists thereof thus certified, and that the same have never been pledged or sold or in anywise encumbered, then the State of Michigan or its assigns shall be entitled to receive a like quantity of land, selected in like manner, upon the new line of road as thus surrendered upon the first line, and to the extent of six sections per mile in the aggregate for every mile of the new line, according to the general provisions of the act of June third, eighteen hundred and fifty-six. And it shall be the duty of the Commissioner of the General Land Office to reoffer for public sale, in the usual manner, the lands embraced in the lists of surrendered lands aforesaid, when duly filed in his office, as herein directed.

Rights of the State of Michigan in such lands.

APPROVED, July 5, 1862.

No. 39.] *A Resolution tendering the Thanks of Congress to Captain Louis M. Goldsborough, and Officers, Petty Officers, Seamen, and Marines under his Command, for the Victory at Roanoke Island.* July 11, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be, Thanks for the Victory at Roanoke Island.

and they are hereby, tendered to Captain Louis M. Goldsborough, and through him to the officers, petty officers, seamen, and marines attached to the squadron under his command, for the brilliant and decisive victory achieved at Roanoke Island on the seventh, eighth, and tenth days of February last.

APPROVED, July 11, 1862.

July 11, 1862.

[No. 40.] *A Resolution expressive of the Thanks of Congress to Lieutenant J. L. Worden of the U. S. Navy, and to the Officers and Men under his Command in the Monitor.*

Thanks to officers and men of the Monitor.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress and of the American people are due and are hereby tendered to Lieutenant J. L. Worden, of the United States Navy, and to the officers and men of the iron-clad gunboat Monitor, under his command, for the skill and gallantry exhibited by them in the late remarkable battle between the Monitor and the rebel iron-clad steamer Merrimack.

SEC. 2. *Be it further resolved,* That the President of the United States be requested to cause this resolution to be communicated to Lieutenant Worden, and through him to the officers and men under his command.

APPROVED, July 11, 1862.

July 11, 1862.

[No. 41.] *A Resolution of Thanks to Captain David G. Farragut, of the United States Navy, and to the Officers and Men under his Command.*

Thanks to Captain David G. Farragut, his officers and men.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of the people and of the Congress of the United States are due and are hereby tendered to Captain David G. Farragut, of the United States Navy, and to the officers and men under his command, composing his squadron in the Gulf of Mexico, for their successful operations on the lower Mississippi River, and for their gallantry displayed in the capture of Forts Jackson and St. Philip, and the city of New Orleans, and in the destruction of the enemy's gunboats and armed flotilla.

SEC. 2. *And be it further resolved,* That the Secretary of the Navy be directed to communicate this resolution to Captain Farragut, and through him to the officers and men under his command.

APPROVED, July 11, 1862.

July 11, 1862.

[No. 42.] *A Resolution for the Relief of the Officers, Non-commissioned Officers, and Privates of the Battalion of Marines on board the Transport Governor on the third of November, 1861.*

Payment to officers, &c., of marines for losses by the foundering of the steamer Governor.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of seven thousand one hundred and sixty-three dollars and fifty-one cents be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to compensate the officers, non-commissioned officers, and privates who composed the marine battalion attached to the Port Royal naval expedition under Flag Officer Du Pont, for the losses of their personal effects by the foundering of the steamer Governor, in which they were embarked, on the third of November last; and that the Secretary of the Navy cause the said sum, or so much thereof as may be necessary, to be paid to them according to the estimated value of their personal effects lost in the manner aforesaid.

APPROVED, July 11, 1862.

July 11, 1862.

[No. 43.] *A Resolution to compensate the Crew of the United States Steamer Varuna, for Clothing and other Property lost in the Public Service.*

Resolved by the Senate and House of Representatives of the United

States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized, in settling the accounts of the petty officers, seamen, and others of the crew of the United States steamer *Varuna*, which was sunk during the engagement near New Orleans on or about the twenty-fourth day of April, eighteen hundred and sixty-two, to credit each of them with the amount of sixty dollars to cover their losses of bedding, clothing, and other property, occasioned by the sinking of the said steamer.

Credit to be given to officers &c., of the *Varuna*, for losses of property.

APPROVED, July 11, 1862.

[No. 44.] *Joint Resolution providing for the Distribution of surplus Copies of the Biennial Register for eighteen hundred and sixty-one among the several Bureaus in the Executive Departments.* July 11, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be and he is hereby authorized and directed to distribute to each of the several bureaus in the Executive Department[s] one or more copies of the Biennial Register for eighteen hundred and sixty-one and eighteen hundred and sixty-two, from the surplus copies now deposited in the Interior Department: *Provided*, That the number of copies delivered to any one bureau shall not exceed two copies.

Surplus copies of Biennial Register, how distributed.

APPROVED, July 11, 1862.

[No. 51.] *A Resolution to suspend all Payments under the Act approved twenty-fifth of March, eighteen hundred and sixty-two, entitled "An Act to secure to the Officers and Men actually employed in the Western Department or Department of Missouri, their Pay, Bounty, and Pension," and for other Purposes.* July 12, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to suspend all payments under the act approved twenty-fifth March, eighteen hundred and sixty-two, entitled "An act to secure to the officers and men actually employed in the western department, or department of Missouri, their pay, bounty, and pension;" and that there shall be appointed by the President, immediately after the passage of this resolution, by and with the advice and consent of the Senate, three commissioners, to examine all claims arising under the provisions of that act, and report the same, with the facts connected therewith, to the Secretary of War; said commissioners to have such compensation for their services as the Secretary of War may consider just and reasonable. *Provided*, That said commissioners shall be required to examine and report within sixty days after the passage of this resolution upon all such claims as may be presented by persons claiming to have been organized or employed in the State of Missouri, and to have performed service according to the provisions of the said recited act, whereupon payments shall be made as recommended by said commissioners, and as required by said act: *And provided further*, That within ninety days from the passage of this resolution the said commissioners shall examine and report upon all other claims arising under the act aforesaid, when payments shall be made as herein prescribed.

1862, ch. 49. Ante, p. 374. Post, p. 824.

Payments under act 1862, ch. 49, suspended.

Commissioners to be appointed to examine claims;

and report in sixty days.

Proviso.

APPROVED, July 12, 1862.

[No. 52.] *A Resolution to provide for the Presentation of "Medals of Honor" to the Enlisted Men of the Army and Volunteer Forces who have distinguished, or may distinguish, themselves in Battle during the present Rebellion.* July 12, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to cause two thousand

"Medals of honor" for non-commissioned officers and privates.

“medals of honor” to be prepared with suitable emblematic devices, and to direct that the same be presented, in the name of Congress, to such non-commissioned officers and privates as shall most distinguish themselves by their gallantry in action, and other soldier-like qualities, during the present insurrection. And that the sum of ten thousand dollars be, and the same is hereby, appropriated out of any money in the treasury not otherwise appropriated, for the purpose of carrying this resolution into effect.

Appropriation.

APPROVED, July 12, 1862.

July 12, 1862.

[No. 53.] *A Resolution in Relation to Contracts with the United States.*

List of contracts solicited or proposed, or modification of contracts to be published weekly.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the several executive departments of the government to publish in one of the daily newspapers of the city of Washington, on Tuesday of each week, a list of all contracts which shall have been solicited or proposed to each, respectively, during the week next preceding, which list shall state briefly the subject matter of each contract so solicited or proposed to be made, its terms, the name of the proposed contractor and of all persons known to be interested therein, directly or indirectly, and of all persons who solicit, request, or recommend the making of any such contract: *Provided,* That the foregoing provision shall not be applicable to bids made in pursuance of advertisements for contracts or purchases made under existing laws, but shall apply to all proposed modifications of existing contracts.

Proviso.

APPROVED, July 12, 1862.

July 12, 1862.

[No. 54.] *A Resolution relating to the Compensation of Senators elected or appointed to fill Vacancies.*

Pay of senators elected, &c., to fill vacancies.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases of a vacancy in either house of Congress, by death or otherwise, of any member elected or appointed thereto, after the commencement of the Congress to which he shall have been elected, each person afterwards elected or appointed to fill such vacancy shall be compensated and paid from the time that the compensation of his predecessor ceased: *Provided,* That no member shall receive for his compensation more than three thousand dollars for any one year.

APPROVED, July 12, 1862.

July 12, 1862.

[No. 55.] *A Joint Resolution authorizing the Secretary of War to furnish extra Clothing to Sick, Wounded, and other Soldiers.*

Extra clothing for sick, &c., soldiers.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to furnish extra clothing to all sick, wounded, and other soldiers who may have lost the same by the casualties of war, under such rules and regulations as the department may prescribe, during the existence of the present insurrection.

APPROVED, July 12, 1862.

July 12, 1862.

[No. 56.] *A Joint Resolution authorizing the State of Minnesota to change the Line of certain Branch Railroads in said State, and for other Purposes.*

1857, ch. 99.
Vol. xi. p. 195.

Whereas, by an act of Congress, approved March third, eighteen hundred and fifty-seven, there was granted to the Territory of Minnesota lands to aid in the construction of a railroad from Stillwater, via St. Paul and St. Anthony, to a point between the foot of Big Stone Lake and the

mouth of Sioux Wood River, with a branch, via St. Cloud and Crow Wing, to the navigable waters of the Red River of the North, the northern terminus of which was fixed by the legislature of said Territory at St. Vincent; and whereas it is now believed that the public interests require a change of location of a part of said branch road: *Therefore*—

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in lieu of that part of the railroad grant to Minnesota Territory by act of Congress, approved third March, eighteen hundred and fifty-seven, which extends northwesterly from the intersection of the tenth standard parallel with the fourth guide meridian, there shall be granted to the State of Minnesota the alternate sections within six mile limits of such new branch line of route as the authorities of the State may designate, having its southwestern terminus at any point on the existing line, between the Falls of Saint Anthony and Crow Wing, and extending in a northeasterly direction to the waters of Lake Superior, with a right of indemnity between the fifteen mile limits thereof, provided this resolution shall take effect from the filing in the General Land Office of the acceptance by the authorities aforesaid of such substitution; whereupon the land north of the intersection aforesaid in the grant as authorized by the said act of third March, eighteen hundred and fifty-seven, being by said acceptance disencumbered of the railroad grant, shall be dealt with as other public lands of the United States.

New grant of land to Minnesota for railroad. 1857, ch. 99. Vol. xi. p. 195.

APPROVED, July 12, 1862.

[No. 57.] *A Resolution to change the Name of the Schooner Sally McGee to that of Ocean Eagle.* July 14, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of the schooner Sally McGee, late of Baltimore, Maryland, be, and the same is hereby, changed to that of the Ocean Eagle, of Perth Amboy, New Jersey, and that the Secretary of the Treasury be, and he is hereby, directed to issue a register therefor.

The name of the schooner Sally McGee changed.

APPROVED, July 14, 1862.

[No. 58.] *Joint Resolution to declare the Meaning of "An Act to authorize the President of the United States in certain Cases to take Possession of Railroad and Telegraph Lines, and for other Purposes," approved January thirty-first, eighteen hundred and sixty-two, and to repeal a Part of said Act.* July 14, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That an act entitled "An act to authorize the President of the United States in certain cases to take possession of railroad and telegraph lines, and for other purposes," approved January thirty-first, eighteen hundred and sixty-two, shall not be so construed as to authorize the construction of any railroad, or the completion of any line of road, the greater part of which remained uncompleted at the time of the approval of said act, or to engage in any work of railroad construction. And so much of said act as authorizes the President of the United States to extend and complete any railroad, is hereby repealed.

Meaning of act 1862, ch. 15, declared. Ante, p. 334.

Part of such act repealed.

APPROVED, July 14, 1862.

[No. 59.] *Joint Resolution to grant Pensions to Masters and other Officers upon the Gunboats in the Service of the United States.* July 16, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the masters serving on board of gunboats employed in the service of the United States shall be en-

Masters, &c., of gunboats entitled to pensions.

1862, ch. 166.
Ante, p. 566.

titled to all the benefits, including bounty and pension, provided for in an act entitled "An act to grant pensions," passed during the present session of Congress, and the widows, mothers, and heirs of such officers shall be entitled to all the benefits of said act.

APPROVED, July 16, 1862.

July 16, 1862. [No. 60.] *Joint Resolution tendering the Thanks of Congress to Captain Andrew H. Foote, of the United States Navy.*

Capt. Andrew H. Foote, thanks of Congress to.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be, and the same are hereby, tendered to Captain Andrew H. Foote, of the United States navy, for his eminent services and gallantry at Fort Henry, Fort Donelson, and Island No. Ten, while in command of the naval forces of the United States.

President to transmit copy of resolution.

And be it further resolved, That the President of the United States be, and he is hereby, requested to transmit a certified copy of the foregoing resolution to Captain Foote.

APPROVED, July 16, 1862.

July 16, 1862. [No. 61.] *Joint Resolution requiring the Superintendent of Metropolitan Police to pay over certain Moneys collected for Fines and Penalties, to constitute a contingent Fund for certain Purposes.*

Superintendent of Metropolitan Police to pay over all moneys, &c.

1862, ch. 158.
Ante, p. 542.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the superintendent of Metropolitan Police of the District of Columbia shall pay over all such moneys as may be paid to him under the act of Congress entitled "An act to provide for the payment of fines and penalties collected by or paid the justices of the peace in the District of Columbia, under the acts of Congress, approved the third and fifth of August, eighteen hundred and sixty-one, and for other purpose[s]," to the treasurer of the board of said Metropolitan Police, in whose hands the same shall constitute a "contingent fund" to be disbursed under the order, and for such purposes as the said board of police may direct.

APPROVED, July 16, 1862.

July 17, 1862. [No. 62.] *A Resolution regulating the Employment of the Convicts in the Penitentiary of the District of Columbia for their Improvement and Benefit.*

Convicts in the penitentiary in the District of Columbia, how to be employed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the warden of the penitentiary of the District of Columbia shall, so far as may be practicable, employ the convicts therein in the manufacture of shoes for the use of the army and navy, to be made as the War and Navy Departments shall direct; orders for which shall be, by said departments, given to the warden from time to time upon his request; the shoes to be paid for by said departments ordering the same at the customary rate for shoes of like quality.

Deduction from term of sentence for good conduct.

SEC. 2. *And be it further resolved,* That all prisoners that may hereafter be confined in said penitentiary for a term of years, who conduct themselves so that no charge for misconduct shall be sustained against them, shall have a deduction of one month in each year made from the term of their sentence, and shall be entitled to their discharge so much the sooner, upon the certificate of the warden of their good conduct, with the approval of the Secretary of the Interior.

APPROVED, July 17, 1862.

[No. 63.] *Joint Resolution explanatory of "An Act to suppress Insurrection, to punish Treason and Rebellion, to seize and confiscate the Property of Rebels, and for other Purposes."* July 17, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the third clause of the fifth section of "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," shall be so construed as not to apply to any act or acts done prior to the passage thereof; nor to include any member of a State legislature, or judge of any State court, who has not in accepting or entering upon his office, taken an oath to support the constitution of the so-called "Confederate States of America"; nor shall any punishment or proceedings under said act be so construed as to work a forfeiture of the real estate of the offender beyond his natural life.

Construction of portions of act of 1862, ch. 195.

Ante, p. 589.

APPROVED, July 17, 1862.

[No. 64.] *Joint Resolution to amend Section seventy-seven of "An Act to provide Internal Revenue to support the Government and to pay Interest on the Public Debt," and for other Purposes.* July 17, 1862

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section seventy-seven of an act entitled "An act to provide internal revenue to support the government and to pay interest on the public debt," be, and the same is hereby, amended by striking out the word "May" and inserting "August."

Act 1862, ch. 119, § 77, amended.

Ante, p. 467.

SEC. 2. *And be it further resolved,* That all the sections of an act entitled "An act to provide internal revenue to support the Government and to pay interest on the public debt," which require any matter or thing to be done on or before the first day of July or August, eighteen hundred and sixty-two, shall be so amended and changed that said matters or things may be so done on or before any other day in the year eighteen hundred and sixty-two not later than the first day of October eighteen hundred and sixty-two, which may be fixed and determined upon by the Secretary of the Treasury, if in his judgment a later day should be so fixed in order to put said act into practical operation, and all parts of said act having reference to the said dates of the first days of July and August, eighteen hundred and sixty-two, shall be taken and construed as having reference to the said day which may be so fixed and determined upon: *Provided,* That the Secretary of the Treasury shall give public notice of the day so fixed and determined upon, in such manner as he may deem expedient.

Act so amended that certain acts need not be done before Oct. 1, 1862.

Secretary of the Treasury to determine time.

And give public notice.

APPROVED, July 17, 1862.

[No. 65.] *A Resolution in Relation to the Law of Prize.* July 17, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter all moneys arising from the sale of property under the prize laws of the United States, whether under interlocutory or final decree, shall be paid by the marshal into the treasury of the United States for safe-keeping immediately after the day of sale, instead of the registry of the court, less the costs and disbursements sworn to by the marshal and taxed by the court; and every clerk of a United States court now having any such moneys in hand shall immediately pay the same into the treasury of the United States, less the costs and disbursements to be sworn to and taxed as aforesaid, and upon a final decree of condemnation or restitution, it shall be the duty of the Secretary of the Treasury, and he is hereby authorized to pay over the same upon the order of the proper court, and no more shall be retained by any clerk from money received and paid over by him under this resolution as commissions or otherwise, than one per centum upon the first

Prize moneys to be paid into the treasury of the United States.

one thousand dollars in each case, and one-fourth of one per centum on the excess above that sum, not, however, to exceed two hundred and fifty dollars in any case.

APPROVED, July 17, 1862.

July 17, 1862.

[No. 66.] *A Resolution releasing to the Heirs at Law of Robert L. Stevens, deceased, all the Right, Title, and Interest of the United States in and to Stevens' Battery.*

Stevens's Battery released to heir of Robert L. Stevens.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That all the right, title, and interest of the United States, in and to Stevens' Battery be, and the same are hereby, released and conveyed to the heirs at law of the said Robert L. Stevens or their legal representatives.

APPROVED, July 17, 1862.

July 17, 1862.

[No. 67.] *A Resolution to repeal and modify Sections two and three of an Act entitled "An Act to settle the Titles to certain Lands set apart for the Use of certain Half-breed Kansas Indians in Kansas Territory," approved May twenty-six, eighteen hundred and sixty, and to repeal part of section one of said Act.*

Repeal of act of 1860, ch. 61, §§ 2, 3, and part of § 1.

Ante, p. 21.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That sections two and three of an act entitled "An act to settle the titles to certain lands set apart for the use of certain Half-breed Kansas Indians in Kansas Territory," approved May twenty-six, one thousand eight hundred and sixty, and so much of the first section as authorizes the Secretary of the Interior to decide what persons are heirs to deceased reservees as mentioned therein be and the same are hereby, repealed.

APPROVED, July 17, 1862.

July 17, 1862.

[No. 68.] *Joint Resolution further to provide for the Compensation of Members of Congress.*

Active employment in military service without pay to excuse for absence from duty in Congress.

Withdrawal from seat in anticipation of adjournment, to subject member to deduction.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, until the further order of Congress, the Secretary of the Senate and the Sergeant-at-arms of the House are directed to receive, as a valid excuse for absence from duty in Congress, active employment in military service for the suppression of the rebellion without pay.

SEC. 2. *And be it further resolved,* That when any senator or representative shall hereafter withdraw from his seat in anticipation of the adjournment of Congress and before the adjournment and does not return, he shall, in addition to the sum now deducted for each day, forfeit a further sum equal to the mileage now allowed by law for his return home, and it shall be deducted from his compensation, unless where said withdrawal is with the leave of the Senate or House of Representatives respectively.

APPROVED, July 17, 1862.

July 17, 1862.

[No. 69.] *Joint Resolution authorizing the Secretary of the Interior to expend, from a Fund in the United States Treasury belonging to the Winnebago Indians, the sum of fifty thousand Dollars, or so much thereof as may be necessary, for the Benefit of said Indians.*

Expenditure for the Winnebago Indians authorized.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to expend, from a fund in the treasury of the United States belonging to the Winnebago Indians, the sum of fifty thousand dollars, or so much thereof as may be necessary, to make such improvements upon their lands and purchase such stock and agricultural implements as their necessities may require, and that the amount so expended shall be replaced from the proceeds of the sales

of the lands belonging to said Indians, which the Government is now authorized to sell by virtue of an existing treaty with said Indians.

APPROVED, July 17, 1862.

[No. 70.] *A Resolution to regulate the Compensation for paying Pensions.* July 17, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That agents for paying pensions shall receive two per centum on all disbursements made by them to pensioners of the United States: *Provided,* That the aggregate compensation to any one agent, paying both army and navy pensions, shall not exceed two thousand dollars per annum.

APPROVED, July 17, 1862.

[No. 71.] *A Resolution making further Appropriations for the current and contingent Expenses of the Indian Department, and for fulfilling Treaty Stipulations with the various Indian Tribes, for the Year ending June thirty, eighteen hundred and sixty-three.* July 17, 1862.

Whereas, certain appropriations agreed to by the Senate of the United States as amendments to the "Act (H. R. 260) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes for the year ending June thirtieth, eighteen hundred and sixty-three," approved July fifth, eighteen hundred and sixty-two, were accidentally omitted to be sent to the House of Representatives for concurrence therein; and whereas said appropriations are necessary to be made, Therefore —

1862, ch. 135.
Ante, p. 512.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated out of any money in the treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department and fulfilling treaty stipulations with the various Indian tribes: —

Indian appropriation.

For Indian Service in Nevada Territory. — For pay of interpreter, five hundred dollars.

Indian service in Nevada Territory.

For presents of goods and clothing to Indians to be expended by the superintendent of Indian affairs, five thousand dollars.

For incidental expenses in Nevada Territory, including office and travelling expenses, two thousand dollars.

For Indian Service in Colorado Territory. — For pay of interpreter, five hundred dollars.

In Colorado Territory.

For presents of goods and clothing to Indians, to be expended by the superintendent of Indian affairs, five thousand dollars.

For incidental expenses in Colorado Territory, including office and travelling expenses, two thousand dollars.

For the Indian service in Utah Territory for fiscal year ending June thirty, eighteen hundred and sixty-three.

In Utah Territory.

For interpreter for Shoshonees, one thousand dollars.

Interpreters for Shoshonees.

For interpreter for Utahs, one thousand dollars.

Utahs.

For interpreter for Ruby Valley agency, five hundred dollars.

Ruby Valley.

For interpreter for Fort Bridger agency, five hundred dollars.

Fort Bridger.

For interpreter for Spanish Fork agency, five hundred dollars.

Spanish Fork.

For presents of goods and clothing to Indians, to be expended by the superintendent of Indian affairs, five thousand dollars.

Presents.

For incidental expenses in Utah Territory, including office and travelling expenses, two thousand dollars.

Incidental expenses in Utah Territory.

APPROVED, July 17, 1862.

July 17, 1862.

[No. 72.] *A Resolution suspending the Sale by sealed Bids, of the Lands of the Kansas and Sac and Fox Indians.*

Sale of lands
of the Sacs and
Foxes, by sealed
bids suspended.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sales of the lands of the Kansas and Sac and Fox tribes of Indians of the State of Kansas, by sealed bids, be, and the same are postponed until the fourth day of March, eighteen hundred and sixty-three, any treaty or law to the contrary notwithstanding.

APPROVED, July 17, 1862.

PUBLIC ACTS OF THE THIRTY-SEVENTH CONGRESS

OF THE

UNITED STATES,

Passed at the third session which was begun and held at the City of Washington, in the District of Columbia, on Monday, the first day of December, A. D. 1862, and ended on Wednesday, the fourth day of March, A. D. 1863.

ABRAHAM LINCOLN, President. HANNIBAL HAMLIN, Vice-President, and President of the Senate. SOLOMON FOOTE was elected President of the Senate, *pro tempore*, on the eighteenth day of February, and so acted until the end of the session. GALUSHA A. GROW, Speaker of the House of Representatives.

CHAP. I. — *An Act authorizing the Holding of a special Session of the United States District Court for the District of Indiana.* Dec. 15, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That a special session of the United States District Court for the district of Indiana shall be holden, at the usual place of holding said court, on the first Monday in February, in the year of our Lord one thousand eight hundred and sixty-three, and to continue in session so long as the business thereof may require. Special session of the United States District Court to be held in Indiana.

SEC. 2. *And be it further enacted,* That all suits and proceedings of a civil or criminal nature now pending in or returnable to said court shall be proceeded in, heard, tried, and determined by said court at said special session in the same manner as at a regular term of said court. Process pending and returnable.

APPROVED, December 15, 1862.

CHAP. III. — *An Act to adjust Appropriations heretofore made for the Civil Service of the Navy Department to the present Organization of that Department.* Dec. 19, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby authorized and directed to transfer the amounts heretofore appropriated for the pay of chiefs of bureaus, clerks, messengers, and laborers connected with the Navy Department, so that they will correspond with the present organization and pay as authorized by the act of Congress of July fifth, eighteen hundred and sixty-two, viz :

Transfer of appropriations for Navy Department.

For the Bureau of Equipment and Recruiting, three thousand eight hundred and seventy-four dollars. 1862, ch. 134. Ante, p. 510. Bureau of Equipment and Recruiting,

For the Bureau of Yards and Docks, ten thousand six hundred and forty-three dollars. of Yards and Docks,

For the Bureau of Navigation, three thousand and fifty-seven dollars. of Navigation,

For the Bureau of Ordnance, six thousand nine hundred and fifty-four dollars. of Ordnance,

For the Bureau of Construction and Repairs, nine thousand five hundred and thirty-four dollars. of Construction and repairs,

For the Bureau of Steam Engineering, four thousand two hundred and twenty-four dollars. of Steam Engineering,

For the Bureau of Provisions and Clothing, five thousand eight hundred and fifty-eight dollars. of Provisions and Clothing,

Bureau of
Medicine and
Surgery.

Remaining
balances may be
expended for
clerical services.

Further
transfer.

For the Bureau of Medicine and Surgery, five thousand eight hundred dollars.

SEC. 2. *And be it further enacted*, That all remaining balances shall attach to the office of the Secretary of the Navy, and may be expended by him for such clerical services as he shall judge the interests of the department require.

SEC. 3. *And be it further enacted*, That the sum of one thousand dollars, heretofore appropriated for the contingent expenses of the Bureau of Construction, Equipment, and Repair, be transferred to the Bureau of Steam Engineering, and the sum of one thousand dollars to the Bureau of Equipment and Recruiting. And also that the sum of one thousand dollars, heretofore appropriated for the contingent expenses of the Bureau of Ordnance, be transferred to the Bureau of Navigation.

APPROVED, December 19, 1862.

Dec. 25, 1862.

1862, ch. 119.

Ante, p. 432.

Assessors, col-
lectors, &c. may
administer oaths.

No fees there-
for.

Commissioner
to furnish adhe-
sive stamps, &c.
to collector at
San Francisco
and Portland.

No greater
commission to
be allowed.

No instrument
to be void for
want of particu-
lar stamp, if a
legal stamp of
equal value be
used thereon.

Proprietary
articles excepted

Official docu-
ments, &c. of
United States
exempt from
duty.

Instruments
required to be
stamped, issued
prior to March
1, 1863, without
a stamp, not for
that reason to
be void.

CHAP. IV. — *An Act to amend an Act entitled "An Act to provide Internal Revenue to support the Government and to pay Interest on the Public Debt," approved July first, eighteen hundred and sixty-two.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assessors, assistant assessors, collectors, and deputy collectors, appointed, or who may be appointed, under the provisions of an act entitled "An act to provide internal revenue to support the Government and to pay interest on the public debt," approved July first, eighteen hundred and sixty-two, and all subsequent acts in relation thereto which have been or may be enacted, are hereby authorized and empowered to administer oaths or affirmations in all cases where the same are or may be required by the acts as aforesaid: *Provided*, That no fees shall be charged or allowed therefor.

SEC. 2. *And be it further enacted*, That the Commissioner of Internal Revenue shall be authorized and empowered, and hereby is authorized and empowered, to furnish and supply the assistant treasurers or collectors of the United States at San Francisco, State of California, and Portland, State of Oregon, with adhesive stamps, or stamped paper, vellum, or parchment, according to the provisions of the internal revenue laws referred to in the preceding section, under such regulations and conditions as he may from time to time prescribe, and without requiring payment in advance therefor, anything in existing laws to the contrary notwithstanding: *Provided*, That no greater commission shall be allowed than is now provided for by law.

SEC. 3. *And be it further enacted*, That no instrument, document, writing, or paper of any description, required by law to be stamped, shall be deemed or held invalid and of no effect for the want of the particular kind or description of stamp designated for and denoting the duty charged on any such instrument, document, writing, or paper, provided a legal stamp, or stamps, denoting a duty of equal amount, shall have been duly affixed and used thereon: *Provided*, That the provisions of this section shall not apply to any stamp appropriated to denote the duty charged on proprietary articles.

SEC. 4. *And be it further enacted*, That all official instruments, documents, and papers, issued or used by the officers of the United States Government shall be, and hereby are, exempt from duty.

SEC. 5. *And be it further enacted*, That the ninety-fifth section of an act entitled "An act to provide internal revenue to support the Government and to pay interest on the public debt," approved July first, eighteen hundred and sixty-two, be so amended that no instrument, document, or paper made, signed, or issued prior to the first day of March, Anno Domini, eighteen hundred and sixty-three, without being duly stamped, or having thereon an adhesive stamp to denote the duty imposed thereon

shall, for that cause, be deemed invalid and of no effect: *Provided*, That no instrument, document, writing, or paper, required by law to be stamped, signed, or issued, without being duly stamped prior to the day aforesaid, or any copy thereof, shall be admitted or used as evidence in any court until a legal stamp or stamps, denoting the amount of duty charged thereon, shall have been affixed thereto, or used thereon, and the initials of the person using or affixing the same, together with the date when the same is so used or affixed, shall have been placed thereon by such person. And the person desiring to use any such instrument, document, writing, or paper, as evidence, or his agent or attorney, is authorized in the presence of the court to stamp the same as hereinbefore provided. And section twenty-four of an act entitled "An act increasing, temporarily, the duties on imports, and for other purposes," approved July fourteen, Anno Domini, eighteen hundred and sixty-two, is hereby repealed.

Instruments, &c., not to be used in evidence until stamped.

Who may affix stamp.

Repeal of act of 1862, ch. 163, § 24. *Ante*, p. 560.

APPROVED, December 25, 1862.

CHAP. V. — *An Act to facilitate the Discharge of disabled Soldiers from the Army, and the Inspection of convalescent Camps and Hospitals.*

Dec. 27, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to the present medical corps of the army eight medical inspectors, who shall, immediately after the passage of this act, be appointed by the President, by and with the advice and consent of the Senate, without regard to their rank when so selected, but with sole regard to qualifications, and who shall have the rank, pay, and emoluments now authorized by law to officers of that grade.

Eight medical inspectors to be added to the medical corps of the army.

Selection, rank, pay, &c.

SEC. 2. *And be it further enacted*, That the officers of the medical inspector's department shall be charged, in addition to the duties now assigned to them by existing laws, with the duty of making regular and frequent inspections of all military general hospitals and convalescent camps, and shall, upon each such inspection, designate to the surgeon in charge of such hospitals or camps, all soldiers who may be, in their opinion, fit subjects for discharge from the service, on surgeon's certificate of disability, or sufficiently recovered to be returned to their regiments for duty, and shall see that such soldiers are discharged or so returned. And the medical inspecting officers are hereby empowered, under such regulations as may be hereafter established, to direct the return to duty, or the discharge from service, as the case may be, of all soldiers designated by them.

Additional duty imposed upon medical inspectors.

Inspectors may direct soldiers to return to duty, or may discharge them.

APPROVED, December 27, 1862.

CHAP. VI. — *An Act for the Admission of the State of "West Virginia" into the Union, and for other Purposes.*

Dec. 31, 1862.

Whereas the people inhabiting that portion of Virginia known as West Virginia did, by a Convention assembled in the city of Wheeling on the twenty-sixth of November, eighteen hundred and sixty-one, frame for themselves a Constitution with a view of becoming a separate and independent State; and whereas at a general election held in the counties composing the territory aforesaid on the third day of May last, the said Constitution was approved and adopted by the qualified voters of the proposed State; and whereas the Legislature of Virginia, by an act passed on the thirteenth day of May, eighteen hundred and sixty-two, did give its consent to the formation of a new State within the jurisdiction of the said State of Virginia, to be known by the name of West Virginia, and to embrace the following named counties, to wit: Hancock, Brooke, Ohio, Marshall, Wetzel, Marion, Monongalia, Preston, Taylor, Tyler, Pleasants, Ritchie, Doddridge, Harrison, Wood, Jackson, Wirt,

West Virginia. Preamble.

Counties composing the State

Roane, Calhoun, Gilmer, Barbour, Tucker, Lewis, Braxton, Upshur, Randolph, Mason, Putnam, Kanawha, Clay, Nicholas, Cabell, Wayne, Boone, Logan, Wyoming, Mercer, McDowell, Webster, Pocahontas, Fayette, Raleigh, Greenbrier, Monroe, Pendleton, Hardy, Hampshire, and Morgan; and whereas both the Convention and the Legislature aforesaid have requested that the new State should be admitted into the Union, and the Constitution aforesaid being republican in form, Congress doth hereby consent that the said forty-eight counties may be formed into a separate and independent State. Therefore —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of West Virginia be, and is hereby, declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever, and until the next general census shall be entitled to three members in the House of Representatives of the United States: *Provided, always,* That this act shall not take effect until after the proclamation of the President of the United States hereinafter provided for.

West Virginia admitted into the Union,

after proclamation of the President.

Proposed change of the Constitution of the State.

It being represented to Congress that since the Convention of the twenty-sixth of November, eighteen hundred and sixty-one, that framed and proposed the Constitution for the said State of West Virginia, the people thereof have expressed a wish to change the seventh section of the eleventh article of said Constitution by striking out the same and inserting the following in its place, viz: "The children of slaves born within the limits of this State after the fourth day of July, eighteen hundred and sixty-three, shall be free; and that all slaves within the said State who shall, at the time aforesaid, be under the age of ten years, shall be free when they arrive at the age of twenty-one years; and all slaves over ten and under twenty-one years shall be free when they arrive at the age of twenty-five years; and no slave shall be permitted to come into the State for permanent residence therein:" Therefore —

This act to take effect when change is ratified and proclaimed by the President.

SEC. 2. *Be it further enacted,* That whenever the people of West Virginia shall, through their said Convention, and by a vote to be taken at an election to be held within the limits of the said State, at such time as the Convention may provide, make, and ratify the change aforesaid, and properly certify the same under the hand of the president of the Convention, it shall be lawful for the President of the United States to issue his proclamation stating the fact, and thereupon this act shall take effect and be in force from and after sixty days from the date of said proclamation.

APPROVED, December 31 1862.

January 6, 1863.

CHAP. VII. — *An Act to improve the Organization of the Cavalry Forces.*

Cavalry regiments to have two assistant surgeons.

Number of privates in company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter each regiment of cavalry organized in the United States service, may have two assistant surgeons, and each company or troop of cavalry shall have from sixty to seventy-eight privates.

APPROVED, January 6, 1863.

January 13, 1863.
Ante, p. 576.

CHAP. IX. — *An Act prescribing the Times and Places for holding Terms of the Circuit Court for the Districts of Iowa, Minnesota, and Kansas.*

Terms of Circuit Court in Iowa, Minnesota, and Kansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the terms of the Circuit Court for the districts of Iowa, Minnesota, and Kansas shall be holden in each and every year at the following times and places, to wit: For the district of Iowa, at Des Moines, on the first Tuesday in May and Novem-

ber; for the district of Minnesota, at St. Paul, on the third Monday of June and October; and for the district of Kansas, at the place prescribed by law for holding terms of the district court therein, on the fourth Monday of May and November.

SEC. 2. *And be it further enacted*, That all writs, process, and other proceedings of whatever kind relative to any cause, civil or criminal, pending in or returnable to the Circuit Court for said districts of Iowa, Minnesota, and Kansas, at terms heretofore prescribed by law, are hereby declared continued, transferred, and returnable to the said Circuit Court for said districts, respectively, at the terms first to be held under the provisions of this act. And no process issued, proceeding pending, bail-bond or recognizance taken in or returnable to either of said circuit courts shall be avoided, invalidated, or impaired by the change in the time or place of holding the terms of such court made by this act; and the entries of record may be made in conformity with the provisions of this act.

Provision for process pending or returnable.

SEC. 3. *And be it further enacted*, That so much of the first section of "An act to amend the act of the third of March, eighteen hundred and thirty-seven, entitled 'An act supplementary to the act entitled "An act to amend the judicial system of the United States,"'" approved July fifteen, eighteen hundred and sixty-two, as conflicts with this act be and is hereby repealed.

Repeal of part of 1862, ch. 178, § 1. *Ante*, p. 576.

APPROVED, January 13, 1863.

CHAP. X.—*An Act to provide for the Imprisonment of Persons convicted of Crime by the Criminal Court of the District of Columbia.* January 16, 1863.

Post, p. 823.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons who shall hereafter be convicted by the Criminal Court of the District of Columbia of any offence, the punishment of which by law shall be confinement in the penitentiary, shall be confined during the term for which they shall be sentenced by said court in some suitable prison in a convenient State, where they can be employed at suitable labor, to be designated by the Secretary of the Interior.

Persons convicted of certain crimes in the District of Columbia to be confined where.

SEC. 2. *And be it further enacted*, That it shall be the duty of the Secretary of the Interior to contract with the managers or superintendent of a suitable prison in some convenient State for the imprisonment and subsistence and proper employment of all prisoners who shall be convicted in said court of such offences, on the best terms that he can; and he shall, on or before the first day of each term of the Criminal Court of the District of Columbia, inform said court in writing of the designation and location of the prison in which he shall have made provision for the confinement and support of prisoners; and said court shall sentence all persons who shall, during said term, be convicted of such offences, to confinement at hard labor in the prison so designated.

Secretary of Interior to contract for imprisonment, subsistence, &c., of prisoners,

to inform the court thereof.

Sentences.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Secretary of the Interior to make suitable provision for the safe transportation of all prisoners to the prison to which they shall be sentenced by the court, and until they shall be so transported they shall be confined in the jail of Washington City.

Transportation, &c., of prisoners.

SEC. 4. *And be it further enacted*, That the action of the Secretary of the Interior, in transferring the prisoners confined in the penitentiary of the District of Columbia to the penitentiary in the city of Albany, in the State of New York, in the month of September last, by direction of the President, is hereby legalized and declared valid, and the said prisoners shall continue in confinement in said prison until the expiration of their several terms of imprisonment, or until they shall be legally discharged.

Former transfer of prisoners to Albany, N. Y., declared valid.

SEC. 5. *And be it further enacted*, That all appropriations heretofore

Appropriations for penitentiary in District of Columbia, how applied. Payment to discharged prisoners.

made for the support of the prisoners in the penitentiary of the District of Columbia, or for the payment of watchmen, laborers, and officers connected with said penitentiary, and all appropriations which shall hereafter be made for the expenses and support of prisoners convicted in the District of Columbia, shall be applied, under the direction of the Secretary of the Interior, to defray the expenses of transporting to and subsisting prisoners in any prison selected by him, as before provided for their confinement. The Secretary of the Interior shall also cause to be paid from such appropriations the sum of ten dollars to each prisoner when he or she shall be legally discharged, to enable such prisoner to reach the point he or she may wish to go to.

When suitable penitentiary erected in District of Columbia, prisoners to be returned.

SEC. 6. *And be it further enacted*, That whenever a suitable penitentiary shall be erected in the District of Columbia, and completed for the reception of prisoners, it shall be the duty of the Secretary of the Interior to cause to be transferred to such penitentiary all persons who shall then be imprisoned outside of the District of Columbia, under sentence of the Criminal Court of said District.

APPROVED, January 16, 1863.

January 23, 1863. CHAP. XI.—*An Act making Appropriations for the Support of the Military Academy for the Year ending the thirtieth of June, eighteen hundred and sixty-four.*

Military Academy appropriation. Pay, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year ending the thirtieth of June, eighteen hundred and sixty-four:

For pay of officers, instructors, cadets, and musicians, one hundred and seventeen thousand one hundred and seventy-six dollars.

For commutation of subsistence, five hundred and forty-seven dollars and fifty cents.

For pay in lieu of clothing to officers' servants, three thousand six hundred and seventy-three dollars and fifty cents.

For current and ordinary expenses, as follows: repairs and improvements, fuel and apparatus, forage, postage, telegrams, stationery, transportation, printing, clerks, miscellaneous and incidental expenses, and departments of instruction, thirty-nine thousand seven hundred and five dollars.

For gradual increase and expense of library, one thousand dollars.

For expenses of the board of visitors, four thousand dollars.

For forage of artillery and cavalry horses, five thousand dollars.

For supplying horses for artillery and cavalry exercise, one thousand dollars.

For repairs of officers' quarters, one thousand five hundred dollars.

For targets and batteries for artillery exercise, one hundred dollars.

For furniture for hospital for cadets, one hundred dollars.

For annual repairs of gas-pipes and retorts, three hundred dollars.

For kitchen of cadets' mess hall, two thousand dollars.

For furniture for soldiers' hospital, two hundred and ninety-two dollars.

For replacing roofs of academic buildings, four thousand dollars: *Provided*, That the walls of said buildings are, in the opinion of the superintendent, strong enough to bear the weight of a slate roof.

For fire apparatus, three thousand dollars.

APPROVED, January 23, 1863.

CHAP. XIII. — *An Act to amend the Act entitled "An Act to amend the Act of the third March, eighteen hundred and thirty-seven, entitled 'An Act Supplementary to the Act entitled "An Act to amend the Judicial System of the United States."'"* January 28, 1863.
1862, ch. 178.
Ante, p. 576

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act the districts of Ohio and Michigan shall constitute the seventh circuit, and the district of Illinois, the district of Indiana, and the district of Wisconsin shall constitute the eighth circuit. Seventh and eighth judicial circuits.
Post, p. 648.

APPROVED, January 28, 1863.

CHAP. XIV. — *An Act to provide for the Printing of the Annual Report of the Banks of the United States.* January 30, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Secretary of the Treasury to cause the annual report upon the Banks of the United States to be completed at as early a day before the first Monday in October in each year as is practicable. Annual report upon the banks when to be completed,

SEC. 2. *And be it further enacted,* That when completed, or in the course of its progress towards completion, if that will give dispatch to the business, the work of printing, under the superintendence of said Secretary, shall be commenced, and the whole shall be printed and ready for delivery, on or before the first day of December next ensuing the close of the year to which the report relates. when to be printed.

SEC. 3. *And be it further enacted,* That until Congress shall otherwise direct, the Secretary of the Treasury shall cause to be printed five thousand copies of said report for the use of Congress and of the Treasury Department. Number of copies.

APPROVED January 30, 1863.

CHAP. XVII. — *An Act making Appropriations for the Payment of Invalid and other Pensions of the United States for the Year ending the thirtieth of June, eighteen hundred and sixty-four.* February 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the year ending the thirtieth of June, eighteen hundred and sixty-four. Pensions and appropriations.

For army invalid pensions under various acts, three million dollars.

For pensions to Revolutionary soldiers, and the widows of those who served in the Revolutionary War, under acts of eighteenth March, eighteen hundred and eighteen, fifteenth May, eighteen hundred and twenty-eight, and seventh June, eighteen hundred and thirty-two, the third section of the act of fourth July, eighteen hundred and thirty-six, the acts of seventh July, eighteen hundred and thirty-eight, third March, eighteen hundred and forty-three, seventeenth June, eighteen hundred and forty-four, second February and twenty-ninth July, eighteen hundred and forty-eight, and second section act of third February, eighteen hundred and fifty-three, two hundred and fifty thousand dollars. Army invalid pensions.
1818, ch. 19.
1828, ch. 53.
1832, ch. 126.
1836, ch. 362, § 3.
1838, ch. 189.
1843, ch. 102.
1844, ch. 102.
1848, ch. 8
and 120.
1853, ch. 41.

For pensions to widows and orphans, under first section act fourth July, eighteen hundred and thirty-six, act of twenty-first July, eighteen hundred and forty-eight, first section act of third February, eighteen hundred and fifty-three, act third June, eighteen hundred and fifty-eight, and act fourteenth July, eighteen hundred and sixty-two, three million eight hundred thousand dollars. Widows and orphans.
1848, ch. 108.
1858, ch. 85.
1862, ch. 166.

For navy invalid pensions, one hundred and thirty-five thousand dollars. Navy invalid pensions.

For navy pensions to widows and orphans, under act of eleventh Au- Navy pensions.

- 1848, ch. 155. gust, eighteen hundred and forty-eight, and fourteenth July, eighteen hundred and sixty-two, five hundred thousand dollars.
- Privateer. For privateer invalid pensions, three hundred dollars: *Provided*, That Pensions not to be paid to those in rebellion, &c. no pension shall be paid under this act to any person who has been engaged in the present rebellion against the Government of the United States, or has in any way given aid and comfort to those engaged in the rebellion.
- APPROVED, February 3, 1863.
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- February 4, 1863. CHAP. XIX. — *An Act making Appropriations for the Consular and Diplomatic Expenses of the Government for the Year ending June thirtieth, eighteen hundred and sixty-four.*
- Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the objects hereinafter expressed, for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-four, namely: —
- Consular and diplomatic appropriation. For salaries of envoys extraordinary, ministers, and commissioners of the United States at Great Britain, France, Russia, Prussia, Spain, Austria, Brazil, Mexico, China, Italy, Chili, Peru, Portugal, Switzerland, Rome, Belgium, Holland, Denmark, Sweden, Turkey, New Grenada, Bolivia, Ecuador, Venezuela, Guatemala, Nicaragua, Sandwich Islands, Costa Rica, Honduras, Argentine Confederation, Paraguay, and Japan, three hundred and one thousand dollars.
- Envoys, ministers, and commissioners. For salaries of secretaries of legation, thirty thousand dollars.
- Secretaries of Legation, &c. For salaries of assistant secretaries of legation at London and Paris, three thousand dollars.
- For salary of the interpreter to the legation to China, five thousand dollars.
- For salary of the secretary of legation to Turkey, acting as interpreter, three thousand dollars.
- For salary of the interpreter to the legation to Japan, two thousand five hundred dollars.
- Contingent expenses of foreign missions. For contingent expenses of all the missions abroad, sixty thousand dollars.
- Barbary Powers. For contingent expenses of foreign intercourse, eighty thousand dollars.
- Turkish Consulates. For expenses of intercourse with the Barbary Powers, three thousand dollars.
- Relief, &c., of seamen. For expenses of the consulates in the Turkish dominions, namely, interpreters, guards, and other expenses of the consulates at Constantinople, Smyrna, Candia, Alexandria, and Beirut, two thousand five hundred dollars.
- Blank books, &c. For the relief and protection of American seamen in foreign countries, two hundred thousand dollars.
- Office rent of consuls-general, &c. For expenses which may be incurred in acknowledging the services of the masters and crews of foreign vessels in rescuing citizens of the United States from shipwreck, five thousand dollars.
- Salaries of consuls-general and consuls. For the purchase of blank books, stationery, arms of the United States, seals, presses, and flags, and for the payment of postages, and miscellaneous expenses of the consuls of the United States, forty-five thousand dollars.
- For office rent for those consuls-general, consuls, and commercial agents who are not allowed to trade, including loss by exchange thereon, forty-one thousand eight hundred and ninety dollars.
- For salaries of consuls-general at Quebec, Calcutta, Alexandria, Havana, Constantinople, Frankfort-on-the-Main; consuls at Kanagawa and Nagasaki, in Japan, Liverpool, London, Melbourne, Hong-Kong, Glasgow, Mauritius, Singapore, Belfast, Cork, Dundee, Demarara, Halifax,

Kingston, (Jamaica,) Leeds, Manchester, Nassau, (New Providence,) Southampton, Turk's Island, Prince Edward's Island, Havre, Paris, Marseilles, Bordeaux, La Rochelle, Lyons, Moscow, Odessa, Revel, Saint Petersburg, Matanzas, Trinidad de Cuba, Santiago de Cuba, San Juan, (Porto Rico,) Cadiz, Malaga, Ponce, (Porto Rico,) Trieste, Vienna, Aix-la-Chapelle, Canton, Shanghai, Fouchou, Amoy, Ningpo, Beirut, Smyrna, Jerusalem, Rotterdam, Amsterdam, Antwerp, Funchal, Oporto, Saint Thomas, Elsinour, Genoa, Basle, Geneva, Messina, Naples, Palermo, Leipsic, Munich, Leghorn, Stuttgart, Bremen, Hamburg, Tangiers, Tripoli, Tunis, Rio de Janeiro, Pernambuco, Vera Cruz, Acapulco, Callao, Valparaiso, Buenos Ayres, San Juan del Sur, Aspinwall, Panama, Laguayra, Honolulu, Lahaina, Capetown, Falkland Islands, Venice, Stettin, Candia, Cyprus, Batavia, Fayal, Santiago, (Cape de Verdes,) Sainte Croix, Spezzia, Athens, Zanzibar, Bahia, Maranham Island, Para, Rio Grande, Matamoras, Guaymas, Mexico, (city,) Tampico, Paso del Norte, Tabasco, Paita, Tumbez, Talcahuane, Carthogena, Sabanillo, Omoa, Guayaquil, Cobija, Montevideo, Tahiti, Bay of Islands, Apia, Lanthala, Bristol, Cardiff, Malta, Saint John, (Newfoundland,) Saint John, (New Brunswick,) Pictou, (Nova Scotia,) La Union, Barbadoes, Bermuda, Antigua, Nantes, Napoléon-Vendée, Nice, Lisbon, Gottenburg, Tehuantepec, Santos, Saint Catherine, Balize, Gaspé Basin, Valencia, Port Mahon, Martinique, Taranto, Santander, Galatz, Bilbao, Scio, Paramaribo, Macao, Stockholm, Ancona, Otranto, Swatow, La Paz, Bergen, Trinidad, Barcelona, Quebec, Maricaibo, Algiers, San Domingo, (city,) Monrovia, Cape Haytien, Aux Cayes, and New-Castle-upon-Tyne; commercial agents at San Juan del Norte, Saint Paul de Loando, (Angola,) Gaboon, Saint Marc, Curaçoa, and Amoor River, including the loss by exchange thereon, four hundred and sixteen thousand three hundred and fifty-four dollars and thirty-four cents; and the salary of the consul at Guaymas shall be fifteen hundred dollars per annum, to commence on the fifth day of August, eighteen hundred and sixty-one: *Provided*, That the amount due to the late William L. Baker be paid to his widow.

Salary of consul at Guaymas.
Amount due William L. Baker to be paid his widow.

For interpreters to the consulates in China, including loss by exchange thereon, five thousand eight hundred dollars.

Interpreters in China.

For expenses incurred, under instructions from the Secretary of State, in bringing home from foreign countries persons charged with crime, and expenses incident thereto, ten thousand dollars.

Bringing home persons charged with crime.

For salaries of the marshals for the consular courts in Japan, China, Siam, and Turkey, including loss by exchange thereon, nine thousand dollars.

Marshals in consular courts.

For rent of prisons for American convicts in Japan, China, Siam, and Turkey, and for wages of the keepers of the same, nine thousand dollars.

Prisons in Japan, China, &c.

For salaries of commissioners and consuls-general to Hayti and Liberia, eleven thousand five hundred dollars.

Commissioners, &c., to Liberia and Hayti.

For expenses under the act of Congress to carry into effect the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade, passed July eleventh, eighteen hundred and sixty-two, seventeen thousand dollars.

Treaty for suppression of African slave-trade.

APPROVED, February 4, 1863.

CHAP. XX. — *An Act in Relation to Commissioned Officers of the United States Revenue Cutter Service.*

February 4, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioned officers of the United States revenue cutter service shall be appointed by the President, by and with the advice and consent of the Senate.

Commissioned officers of revenue cutter service to be appointed by the President.

SEC. 2. *And be it further enacted*, That the grades of engineers shall

Grades of engineers.

be chief engineers, first and second assistant engineers, with the pay and relative rank of first, second, and third lieutenants, respectively.

Wages of petty officers and crew.

SEC. 3. *And be it further enacted*, That the wages of petty officers and crew shall not exceed the average wages paid for like services on the Atlantic or Pacific coasts, respectively, in the merchant service.

Relative rank of revenue officers when serving as part of navy.

SEC. 4. *And be it further enacted*, That the officers of the revenue cutter service, when serving in accordance with law, as part of the navy, shall be entitled to relative rank, as follows: Captains, with and next after lieutenants commanding in the navy; first lieutenants, with and next after lieutenants in the navy; second lieutenants, with and next after masters in line in the navy; third lieutenants, with and next after passed midshipmen in the navy: *Provided*, That no change of rank by this bill shall increase the pay to which such officer is now entitled by law.

Pay not to be increased thereby.

APPROVED, February 4, 1863.

February 6, 1863. CHAP. XXI.—*An Act to amend an Act entitled "An Act for the Collection of Direct Taxes in Insurrectionary Districts within the United States and for other Purposes," approved June seven, eighteen hundred and sixty-two.*

Amendment of act 1862, ch. 98, § 7. *Ante*, p. 423.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the seventh section of an act entitled "An act for the collection of direct taxes in insurrectionary districts within the United States and for other purposes," approved June seven, eighteen hundred and sixty-two, be amended so as to read as follows: Section 7. *And be it further enacted*, That the said Board of Commissioners shall be required, in case the taxes charged upon the said lots and parcels of land shall not be paid, as provided for in the third section of this act, to cause the same to be advertised for sale in a newspaper published in the town, parish, district, or county where situate; and if there be no such newspaper published in said town, parish, district, or county, or if the publisher thereof refuse to publish the same, then in any other newspaper to be selected by said commissioners in said district, or in the city of Washington, for at least four weeks, and by posting notices of said sale in three public places in the town, parish, district, or county within which said lands are situate, at least four weeks previous to the day of sale; and at the time and place of sale to cause the same to be severally sold to the highest bidder for a sum not less than the taxes, penalty, and costs, and ten per centum per annum interest on said tax, pursuant to said notice; in all cases where the owner of said lots or parcels of ground shall not, on or before the day of sale, appear in person before the said Board of Commissioners and pay the amount of said tax, with ten per centum interest thereon, with the cost of advertising the same, or request the same to be struck off to a purchaser for a less sum than two thirds of the assessed value of said several lots or parcels of ground, the said commissioners shall be authorized at said sale to bid off the same for the United States at a sum not exceeding two thirds of the assessed value thereof, unless some person shall bid a larger sum; and in that case the same shall be struck off to the highest bidder, who shall, upon paying the purchase-money in gold and silver coin, or in the Treasury notes of the United States, or in United States notes, or in certificates of indebtedness against the United States, be entitled to receive from said commissioners their certificate of sale; which said certificate shall be received in all courts and places as *prima facie* evidence of the regularity and validity of said sale, and of the title of the said purchaser or purchasers under the same: *Provided*, That the owner of said lots of ground, or any loyal person of the United States having any valid lien upon or interest in the same, may, at any time within sixty days after said sale, appear before the said Board of Tax Commissioners in his or her own proper person, and, if a citizen, upon taking an oath to support the Con-

Tax commissioners to advertise for sale lands on which taxes are unpaid,

to sell the same to highest bidder,

when to bid in for the United States, and for what sum.

Payment, how to be made.

Certificate of sale, effect of.

Owner or loyal person may redeem.

stitution of the United States, and paying the amount of said tax and penalty, with interest thereon from the date of the said proclamation of the President mentioned in the second section of this act, at the rate of fifteen per centum per annum, together with the expenses of the sale and subsequent proceedings, to be determined by said commissioners, may redeem said lots of land from said sale; and any purchaser under the same having paid moneys, Treasury notes, or other certificates of indebtedness of the United States, shall, upon such redemption being made, be entitled to have the same, with the interest accruing after said sale, returned to him by the said commissioners, upon surrendering up the certificates of sale: *And provided further*, That if the owner of said lots of ground shall be a minor, a non-resident alien or loyal citizen beyond seas, a person of unsound mind, or under a legal disability, the guardian, trustee, or other person having charge of the person or estate of such person, may redeem the same at any time within two years after the sale thereof, and in the manner above provided, and with like effect: *And provided further*, That at such sale any tracts, parcels, or lots of land which may be selected under the direction of the President for Government use, for war, military, naval, revenue, charitable, educational, or police purposes, may, at said sale, be bid in by said commissioners, under the direction of the President, for, and struck off to the United States: *And provided further*, That the certificate of said commissioners shall only be affected as evidence of the regularity and validity of sale by establishing the fact that said property was not subject to taxes, or that the taxes had been paid previous to sale, or that the property had been redeemed according to the provisions of this act.

Proceedings for redemption.

Redemption where the owner is a minor or under disability.

Certain tracts may be bid off for Government use.

Certificate of commissioners, how alone impeached.

APPROVED, February 6, 1863.

CHAP. XXII. — *An Act to increase the clerical and other Force of the Quartermaster-General's Office, and for other Purposes.*

February 7, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be added to the clerical and other force in the office of the Quartermaster-General, to be appointed by the Secretary of War, four clerks of class four, and ninety clerks of class one; also, thirty copyists and six laborers, at an annual compensation of six hundred dollars each.

Clerical force in the office of the Quartermaster-General increased.

SEC. 2. *And be it further enacted*, That in settling the accounts of the commanding officer of a company for clothing and other military supplies, the affidavit of any such officer may be received to show the loss of vouchers, or company books, or any matter or circumstance tending to prove that any apparent deficiency was occasioned by unavoidable accident, or lost in actual service, without any fault on his part, or that the whole or any part of such clothing and supplies had been properly and legally used and appropriated; and such affidavit may be considered as evidence to establish the facts set forth, with or without other evidence, as may seem to the Secretary of War just and proper under the circumstances of the case.

Affidavit of commander of a company may be received to show loss of vouchers, &c.

APPROVED, February 7, 1863.

CHAP. XXIII. — *An Act to authorize the Raising of a Volunteer Force for the better Defence of Kentucky.*

February 7, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Governor of the State of Kentucky, by the consent and under the direction of the President of the United States, shall have power to raise and organize into regiments a volunteer force not exceeding twenty thousand, rank and file, to be raised within the State of Kentucky, to serve for the term of twelve

The Governor of Kentucky may raise a volunteer force not exceeding 20,000.

Term of service.

Where and how to be employed.

months, to be employed within the limits of Kentucky in repelling invasion, suppressing insurrection, and guarding and protecting the public property: *Provided*, That at any time it may be necessary, in the discretion of the President of the United States, these troops may be employed out of the limits of Kentucky against the enemies of the United States.

Officers, how appointed and commissioned.

SEC. 2. *And be it further enacted*, That the regimental and company officers shall be appointed and commissioned by the State of Kentucky according to the laws thereof: *Provided*, That the officers of said regiments shall be entitled to pay only when the regiments or companies are filled, as now required by law, and while in actual service.

Pay.

To be mustered into the service of the United States,

SEC. 3. *And be it further enacted*, That the regiments, when raised and officered as aforesaid, shall be mustered into the service of the United States, and be subject to the command of the President of the United States.

and subject to the articles of war.

SEC. 4. *And be it further enacted*, That the officers and soldiers thus enrolled and mustered into service shall be subject to the rules and articles of war, and shall be placed on the same footing as other volunteers in the service of the United States as to pay, subsistence, clothing, and other emoluments, except bounty, for and during the time they may be in actual service.

Pay, subsistence, &c.

Two regiments may be mounted riflemen.

SEC. 5. *And be it further enacted*, That a portion of this volunteer corps, not exceeding two regiments, may, when necessary, in the opinion of the President of the United States, be mounted and armed as mounted riflemen.

President may make regulations.

SEC. 6. *And be it further enacted*, That the President shall have power to make such other regulations in regard to the organization and service of this force as he shall deem expedient for the interest of the service.

These volunteers may become three years' volunteers.

SEC. 7. *And be it further enacted*, That, by and with the consent of the President of the United States, the volunteers authorized to be raised by this act, or any portion of them, may be attached to and become part of the body of the three years' volunteers, according to such rules and regulations as the President of the United States may prescribe.

APPROVED, February 7, 1863.

February 7, 1863. CHAP. XXIV. — *An Act to provide for the Protection of Overland Emigrants to the States and Territories of the Pacific.*

Appropriation for overland emigrants to the States, &c., of the Pacific,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the protection of emigrants by the overland routes to the States and Territories of the Pacific the sum of thirty thousand dollars be, and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War: *Provided*, That ten thousand dollars of said appropriation shall be applied to the protection of emigrants on the route from Fort Abercrombie by Fort Benton.

for those on the route from Fort Abercrombie by Fort Benton.

APPROVED, February 7, 1863.

February 9, 1863. CHAP. XXV. — *An Act making Appropriations for the Support of the Army for the Year ending the thirtieth of June, eighteen hundred and sixty-four, and for a Deficiency for the Signal Service for the Year ending June thirty, eighteen hundred and sixty-three.*

Army appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the army for the year ending the thirtieth of June, eighteen hundred and sixty-four:

Recruiting service.

For expenses of recruiting, transportation of recruits, and compensation to citizen surgeons for medical attendance, two hundred and seventy-five thousand dollars.

For bounties and premiums for recruits of the regular army, three hundred and twenty-four thousand dollars.	Recruits.
For bounties for recruits of the volunteer service, five million dollars.	
For collecting, drilling, and organizing volunteers, and all other necessary expenses, ten million seven hundred thousand dollars.	Drilling, &c., volunteers.
For pay of the army, nine million five hundred and ninety-six thousand five hundred and thirty-eight dollars.	Pay of army.
For commutation of officers' subsistence, one million six hundred and twenty thousand and forty-eight dollars.	Commutation of subsistence, &c.
For commutation of forage for officers' horses, one hundred and four thousand six hundred dollars.	
For payments to discharged soldiers for clothing not drawn, one hundred and fifty thousand dollars.	Payments for and in lieu of clothing.
For payments in lieu of clothing for officers' servants, seventy-six thousand nine hundred and seventy dollars.	
For pay of volunteers under acts of twenty-second and twenty-fifth of July, eighteen hundred and sixty-one, two hundred and sixty-six million four hundred and ten thousand nine hundred and eighty-one dollars and six cents.	Pay of volunteers. 1861, ch. 9, 17. <i>Anne</i> , pp. 268, 274.
For subsistence in kind for regulars, volunteers, engineers, Indians, and hospital stewards, one hundred and forty million one hundred and thirty-two thousand six hundred and eighty-nine dollars and twenty cents.	Subsistence.
For the regular supplies of the quartermaster's department, consisting of fuel for the officers, enlisted men, guard, hospitals, storehouses, and offices; of forage in kind for the horses, mules, and oxen of the quartermaster's department at the several posts and stations, and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry as may be mounted, and for the authorized number of officers' horses when serving in the field and at the outposts, including bedding for the animals; of straw for soldiers' bedding, and of stationery, including blank books for the quartermaster's department, certificates for discharged soldiers, blank forms for the pay and quartermaster's departments; for the printing of division and department orders and reports, sixty-seven million two hundred and seventeen thousand seven hundred and ninety-one dollars.	Quartermaster's Department
For the incidental expenses of the quartermaster's department, consisting of postage on letters and packets received and sent by officers of the army on public service; expenses of courts-martial and courts of inquiry, including the additional compensation of judge advocates, recorders, members, and witnesses, while on that service, under the act of March sixteenth, eighteen hundred and two; extra pay to soldiers employed, under the direction of the quartermaster's department, in the erection of barracks, quarters, storehouses, and hospitals; in the construction of roads, and on other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department head-quarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers, and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field, or at posts on the frontiers, or at other posts and places when ordered by the Secretary of War, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the quartermaster's department, including the hire of interpreters, spies, and guides for the army; compensation of clerks to officers of the quartermaster's department; compensation of forage and wagon masters, authorized by the act of July fifth, eighteen hundred and thirty-eight; for the apprehension of deserters, and the expenses incident to their pursuit;	Incidental expenses of quartermaster's department. 1802, ch. 9, §§ 21, 22. Vol. ii. p. 136. 1819, ch. 45. Vol. iii. p. 488. 1854, ch. 247, § 6 Vol. x. p. 576. 1838, ch. 162, § 10. Vol. v. p. 257.

and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry as may be mounted, viz.: the purchase of travelling forges, blacksmiths' and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing, hire of veterinary surgeons, medicines for horses and mules, picket ropes, and for shoeing the horses of the corps named; also, generally, the proper and authorized expenses for the movements and operations of an army not expressly assigned to any other department, nineteen million one hundred and twenty-five thousand dollars.

Cavalry and
artillery horses.

For the purchase of cavalry and artillery horses, twenty-three million one hundred and eighty-nine thousand three hundred and seventy-five dollars.

Mileage and
transportation
of officers.

For mileage, or the allowance made to officers of the army for the transportation of themselves and their baggage, when travelling on duty without troops, escorts, or supplies, one million of dollars.

Transportation
of the army.

For transportation of the army, including the baggage of the troops when moving, either by land or water; of clothing, camp, and garrison equipage, from the depots at Philadelphia and New York and Cincinnati, to the several posts and army depots, and from those depots to the troops in the field; and of subsistence from the places of purchase, and from the places of delivery under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small arms, from founderies and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls, and ferriages; for the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships, and other sea-going vessels, and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; and for procuring water at such posts as, from their situation, require it to be brought from a distance; and for clearing roads, and removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operations of the troops in the field, fifty-six million five hundred thousand dollars.

Water.

Clearing roads,
harbors, &c.

Hire and com-
mutation of
quarters, &c.

For hire or commutation of quarters for officers on military duty; hire of quarters for troops; of storehouses for the safe keeping of military stores; of grounds for summer cantonments; for the construction of temporary huts, hospitals, and stables, and for repairing public buildings at established posts, eight million dollars.

Heating, &c.,
stoves.

For heating and cooking stoves, one hundred and forty thousand dol-
lars.

Telegraph.

For telegraph for military purposes, and for expenses in operating the
same, five hundred thousand dollars.

Prisoners of
war.

For supplies, transportation, and care of prisoners of war, one million
five hundred thousand dollars.

Contingencies.

For contingencies of the army, six hundred thousand dollars.

Clothing, camp
equipage, &c.

For clothing for the army, camp, and garrison equipage, and for ex-
penses of offices and arsenals, seventy-six million two hundred and eighty-
one thousand nine hundred and eleven dollars and fifty-four cents.

Medicines,
hospital stores,
&c.

For medicines, instruments, dressings, and so forth, for the regular
army, one hundred and thirty-five thousand dollars.

For hospital stores, bedding, and so forth, for the regular army, one
hundred thousand dollars.

For hospital furniture and field equipments, for the regular army, thirty
thousand dollars.

For medical books, stationery, and printing, for the regular army, eight
thousand seven hundred and fifty dollars.

For private physicians, and medicines furnished by them, for the regular army, fifty-seven thousand five hundred dollars.	Private physicians, &c.
For hire of clerks and laborers in purveying depots, for the regular army, one thousand six hundred dollars.	Clerks and laborers.
For continuing meteorological observations and tabulating the same, under the direction of the surgeon-general, for the regular army, five hundred dollars.	Meteorological observations.
For contingencies, for the regular army, two thousand one hundred and fifty dollars.	Contingencies.
For compensation of soldiers acting as cooks and nurses, under the acts of August sixteen, eighteen hundred and fifty-six, and March three, eight hundred and fifty-seven, for the regular army, two thousand dollars.	Pay of soldiers, as cooks, &c. 1856, ch. 125. 1857, ch. 110.
For ice, fruits, and other comforts, under acts of August three, eighteen hundred and sixty-one, and July five, eighteen hundred and sixty-two, for the regular army, twenty thousand dollars.	Ice, fruits, &c. 1861, ch. 42. 1862, ch. 133.
For citizen nurses, under act of July five, eighteen hundred and sixty-two, for the regular army, four thousand dollars.	Citizen nurses.
For hospital clothing, for the regular army, fifteen thousand dollars.	Hospital clothing.
For care of sick soldiers in private hospitals, for the regular army, eighteen thousand five hundred dollars.	Private hospitals.
For artificial limbs for soldiers, for the regular army and seamen, five thousand dollars.	Artificial limbs.
For medicines, instruments, dressings, and so forth, for the volunteers, four millions of dollars.	Medicines, hospital stores, &c. for volunteers.
For hospital stores, bedding, and so forth, for the volunteers, three million five hundred thousand dollars.	
For hospital furniture and field equipments, for the volunteers, one million dollars.	
For medical books, stationery, and printing, for the volunteers, one hundred thousand dollars.	
For private physicians, and medicines furnished by them, for the volunteers, four hundred thousand dollars.	Private physicians, &c.
For hire of clerks and laborers in purveying depots, for the volunteers, twenty-five thousand dollars.	Clerks and laborers.
For continuing meteorological observations and tabulating the same, under the direction of the surgeon-general, for the volunteers, one thousand dollars.	Meteorological observations, &c.
For contingencies, for the volunteers, twelve thousand five hundred dollars.	Contingencies.
For compensation of soldiers acting as cooks and nurses, under the acts of August sixteen, eighteen hundred and fifty-six, and March three, eighteen hundred and fifty-seven, for the volunteers, seventy-five thousand dollars.	Pay of soldiers as cooks, &c. 1856, ch. 125. 1857, ch. 110.
For ice, fruits, and other comforts, under acts of August three, eighteen hundred and sixty-one, and July five, eighteen hundred and sixty-two, for the volunteers, one hundred and seventy thousand dollars.	Ice, fruits, &c. 1861, ch. 42. 1862, ch. 133.
For citizen nurses, under act of July five, eighteen hundred and sixty-two, for the volunteers, one hundred thousand dollars.	Citizen nurses.
For hospital clothing, for the volunteers, eighty thousand dollars.	Hospitals and hospital clothing.
For care of sick soldiers in private hospitals, for the volunteers, one hundred and sixteen thousand five hundred dollars.	
For artificial limbs for volunteer soldiers and seamen, forty-five thousand dollars.	Artificial limbs.
For the army medical museum, five thousand dollars.	
For medicines and medical attendance for negro refugees, (commonly called contrabands,) fifty thousand dollars.	Medicines, &c. for contrabands.
For contingent expenses of the adjutant-general's department at department head-quarters, two thousand dollars.	Contingent expenses of adjutant-general's department.
For expenses of the commanding general's office, ten thousand dollars.	Commanding general's office.

- Armament of fortifications. For armament of fortifications, two million five hundred thousand dollars.
- Ordnance service. For the current expenses of the ordnance service, nine hundred thousand dollars.
- Ordnance stores, supplies. For ordnance, ordnance stores, and supplies, including horse equipments for all mounted troops, six million five hundred and forty-five thousand dollars.
- Manufacture of arms. For the manufacture of arms at the national armory, two million eight hundred and eighty thousand dollars.
- Repairs, &c. at National armory. For repairs and improvements and new machinery at the national armory at Springfield, Massachusetts, one hundred and fifty thousand dollars.
- Gunpowder and lead. For the purchase of gunpowder and lead, two million four hundred and eighty thousand dollars.
- Arsenals. For additions to and extensions of shop room, machinery, tools, and fixtures, at arsenals, five hundred thousand dollars.
- Purchase, &c., of arms, ordnance, &c. For purchase and manufacture of arms for volunteers and regulars, and ordnance and ordnance stores, fourteen million nine hundred and sixty thousand dollars.
- Military defences. For surveys of military defences, one hundred and fifty thousand dollars.
- Purchase, &c. of instruments. For purchase and repair of instruments, ten thousand dollars.
- Charts of lake surveys. For printing charts of lake surveys, fifteen thousand dollars.
- Survey of lakes. For continuing the survey of the northern and northwestern lakes, including Lake Superior, one hundred and six thousand eight hundred and seventy-nine dollars.
- Signal service. For the signal service of the United States army, one hundred and fifteen thousand eight hundred and ninety-one dollars.
- Deficiency for signal service. For deficiency for signal service for the United States army for the year ending June thirty, eighteen hundred and sixty-three, twelve thousand two hundred and twenty-five dollars.
- No money to be paid as salary in any office, unless authorized, &c., nor to any person appointed to fill certain vacancies.

SEC. 2. *And be it further enacted*, That no money shall be paid from the Treasury of the United States to any person acting or assuming to act as an officer, civil, military, or naval, as salary in any office, which office is not authorized by some previously existing law, unless where such office shall be subsequently sanctioned by law, nor shall any money be paid out of the Treasury, as salary, to any person appointed during the recess of the Senate, to fill a vacancy in any existing office, which vacancy existed while the Senate was in session and is by law required to be filled by and with the advice and consent of the Senate, until such appointee shall have been confirmed by the Senate.

APPROVED, February 9, 1863.

February 9, 1863. CHAP. XXVI. — *An Act making Appropriations for the Service of the Post-Office Department during the Fiscal Year ending the thirtieth of June, eighteen hundred and sixty-four.*

- Post-office appropriation. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums be, and the same are hereby appropriated, for the service of the Post-Office Department for the year ending the thirtieth of June, eighteen hundred and sixty-four, out of any moneys in the Treasury arising from the revenues of the said Department, in conformity to the act of the second of July, eighteen hundred and thirty-six : —
- Transportation of the mails. For transportation of the mails, (inland,) seven million two hundred and two thousand dollars.
- For foreign mail transportation, four hundred and twenty thousand dollars.
- Ship, &c., letters. For ship, steamboat, and way letters, eight thousand dollars.

For compensation to postmasters, two million four hundred and thirty thousand dollars.	Postmasters and clerks.
For clerks for post-offices, nine hundred and fifty thousand dollars.	
For payments to letter-carriers, one hundred and eighty thousand dol- lars.	Letter carriers.
For compensation of blank agents and assistants, six thousand dollars.	Blank agents, &c.
For wrapping paper, forty thousand dollars.	Wrapping paper, twine, &c.
For twine, fifteen thousand dollars.	
For office stamps, six thousand dollars.	
For office furniture, three thousand dollars.	
For advertising, fifty-five thousand dollars.	
For postage stamps and stamped envelopes, one hundred thousand dol- lars.	Postage stamps, &c.
For mail depredations and special agents, seventy-five thousand dollars.	Depredations and special agents.
For mail boys [bags] sixty-five thousand dollars.	
For mail locks, keys, and miscellaneous items, ten thousand dollars.	Mail bags, locks, &c.
For payment of balances due to foreign countries, two hundred and ten thousand dollars.	Balances due foreign countries.
For miscellaneous payments, one hundred and fifty-five thousand dol- lars ; of which not exceeding four thousand dollars may be appropriated for fitting up a portion of the custom-houses at Newport, Rhode Island, and New Bedford, Massachusetts, for the use of the post-offices in said cities.	Miscellaneous. Post-offices at Newport and New Bedford.
SEC. 2. <i>And be it further enacted,</i> That the sum of one million dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the California central route.	California central route.
SEC. 3. <i>And be it further enacted,</i> That in case the revenues of the Post-Office Department are insufficient to meet the appropriations made by this act the undrawn balances of appropriations heretofore made to supply deficiencies of that department are hereby made applicable to the payment thereof.	Undrawn bal- ances applicable to deficiencies.
SEC. 4. <i>And be it further enacted,</i> That the sum of six thousand dollars be transferred from the appropriation for paper for the public printing provided for by act approved March fourteenth, eighteen hundred and sixty-two, entitled "An act making appropriations for the legislative, ex- ecutive, and judicial expenses of the Government for the year ending the thirtieth of June, eighteen hundred and sixty-three, and additional approp- riations for the year ending thirtieth June, eighteen hundred and sixty- two," to enable the Postmaster-General to pay therefrom the compensation of the blank agents and their assistants, heretofore paid out of the approp- riation for post-office blanks.	Transfer of appropriation for paper, &c., to pay for blank agents, &c. 1862, ch. 41. Ante, p. 357.
SEC. 5. <i>And be it further enacted,</i> That the Postmaster-General be, and he is hereby, authorized to contract and provide for the transportation of the United States mails on the steamships running between San Francisco, California, and Victoria, Van Couver's Island, to be delivered at Crescent City and Trinidad, California, Astoria and Portland in Oregon, as often as said steamships touch at said ports named, and at Port Angelos, Washing- ton Territory, as often as said steamships approach or pass that point going to or returning from Victoria ; and that the mail service provided for by the fifth section of the act entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three," shall cease on the termination of the year for which it was contracted : <i>Provided, neverthe- less,</i> That the service herein provided for shall not exceed the sum of twenty-four thousand dollars per annum.	Mail service by steamship be- tween San Fran- cisco and Victo- ria. Coast mail be- tween San Fran- cisco and Cres- cent City to cease. 1862, ch. 58, § 5. Ante, p. 382. Limit of ap- propriation.

APPROVED, February 9, 1863.

February 9, 1863. CHAP. XXVII. — *An Act concerning the District Courts of the Territory of Washington.*

Terms of District Court in Washington Territory. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district court in and for the several districts in the Territory of Washington, shall be held at such times and places in said districts (not exceeding three places in each district) as the legislative assembly of said Territory shall by law determine: Provided, That until said legislative assembly shall otherwise provide, said courts shall be held as now provided by law.*

APPROVED, February 9, 1863.

February 9, 1863. CHAP. XXVIII. — *An Act to make the State of Wisconsin a Part of the Ninth Judicial Circuit.*

Wisconsin part of 9th judicial circuit. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Wisconsin shall be, and is hereby, made a part of the ninth judicial circuit of the United States.*

Ante, p. 637.

APPROVED, February 9, 1863.

February 9, 1863. CHAP. XXIX. — *An Act to promote the Efficiency of the Commissary Department.*

Commissary-general of subsistence. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be added to the subsistence department of the army one brigadier-general, to be selected from the subsistence department, who shall be commissary-general of subsistence, and, by regular promotion, one colonel, one lieutenant-colonel, and two majors; the colonels and lieutenant-colonels to be assistant commissaries-general of subsistence, and that vacancies in the above-mentioned grades shall be filled by regular promotions in said department. And the vacancies created by promotions herein authorized may be filled by selections from the officers of the regular or volunteer force.*

Assistant commissaries.

Vacancies, how filled.

APPROVED, February 9, 1863.

Feb. 12, 1863. CHAP. XXXII. — *An Act to supply Deficiencies in the Appropriations for the Service of the Fiscal Year ending June thirtieth, eighteen hundred and sixty-three.*

Deficiencies; appropriations. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated to supply deficiencies in the appropriations for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-three, out of any money in the Treasury not otherwise appropriated:*

State Department. *State Department.* — For salary of the marshal of the United States Consular Court at Bangkok, from September sixth, eighteen hundred and sixty to June thirtieth, eighteen hundred and sixty-one, at one thousand dollars per annum, eight hundred and seventeen dollars and ninety-three cents.

For salary of marshal in Consular Court at Canton, from first July, eighteen hundred and sixty, to thirtieth August, eighteen hundred and sixty, one hundred and sixty-five dollars and seventy-six cents.

War Department. To supply deficiencies in the appropriations for the contingent fund of the War Department, as follows: In the office of the Secretary of War, seven thousand five hundred dollars; office of the Adjutant-General, four thousand five hundred dollars; office of the Commissary-General, five thousand dollars; office of the Surgeon-General, five thousand dollars; office of the Chief of Ordnance, two thousand five hundred dollars; Northwest Executive building, five thousand dollars; building corner of

F and Seventeenth streets, two thousand dollars,—making thirty-one thousand five hundred dollars.

Treasury Department.—For amount required for additional clerks, keeper, messenger, watchmen, fireman, a laborer in the office of the Assistant Treasurer, at New York, from January first to June thirtieth, eighteen hundred and sixty-three, four thousand three hundred and fifty dollars. Treasury Department.

For amount required for additional clerks and messenger in the office of the Assistant Treasurer at Philadelphia, from January first to June thirtieth, eighteen hundred and sixty-three, two thousand seven hundred and fifty dollars.

For necessary expenses in carrying into effect the several acts of Congress authorizing loans and the issue of Treasury notes, five hundred and eighty thousand dollars.

For expenses incident to carrying into effect an act for the collection of direct taxes in insurrectionary districts within the United States, and for other purposes, for salaries of tax commissioners who have been or may be appointed in the present fiscal year, their clerks, and contingent expenses, fifty-four thousand six hundred dollars.

Interior Department.—For travelling expenses for a special agent, authorized by act of July fourteenth, eighteen hundred and sixty-two, two thousand dollars. Interior Department.
1862, ch. 166,
§ 12.
Ante, p. 569.

To supply the deficiency in the appropriation for annual repairs of the President's House, one thousand dollars.

For liquidation of agency debts contracted under late agents Head and Colley, Colorado Territory, and for the pay of employees to the close of eighteen hundred and sixty-one, seven thousand five hundred dollars. Agency debts
in Colorado.

To supply deficiency in the appropriation, under the treaty of Fort Laramie, the amount expended in the purchase of guns and ammunition for the Upper Platte agency in eighteen hundred and sixty-one, and seized by order of the Government as contraband, two thousand four hundred and thirty-nine dollars and thirteen cents: *Provided*, If the said guns and ammunition, or any part thereof, are on hand and not in actual use, they shall be forwarded in compliance with said treaty, and shall be considered a part of the guns and ammunition provided for by this appropriation. Fort Laramie
treaty.

To supply the deficiency in the appropriation for salary of Surveyor-General of Illinois and Missouri for the six months ending December thirty-first, eighteen hundred and sixty-two, one thousand dollars.

War Department.—To supply deficiency in the appropriation for additional clerks in the War Department, twenty-three thousand four hundred dollars. War Department.

To supply deficiency in the appropriation for blank books, stationery, binding, and miscellaneous items for Paymaster-General's office, two thousand five hundred dollars.

For regular supplies for the Quartermaster's department, six million dollars.

For the purchase of cavalry and artillery horses, eleven million dollars.

For transportation of the army and its supplies, twenty-five million dollars.

For the erection, hire, and repairs of barracks, quarters, and hospitals, one million seven hundred and thirty thousand dollars.

For clothing, camp, and garrison equipage, twenty-seven million one hundred and thirty-six thousand dollars.

To supply deficiency in the appropriation for maintenance and support of fleet of steam rams from September thirtieth, eighteen hundred and sixty-two, to June thirtieth, eighteen hundred and sixty-three, four hundred and fifty thousand dollars.

War Department.

For purchase of arms for volunteers and regulars, and ordnance and ordnance stores, thirteen million two hundred and twenty-six thousand seven hundred and eighty-eight dollars.

For purchase of gunpowder and lead, one million five hundred thousand dollars.

To supply deficiency in the appropriation for the medical and hospital department of the army, four million four hundred and seventy-four thousand dollars.

For surveys for military defences, including the purchase of campaign maps, manuscript surveys of railroads, canals, of lines within the States in rebellion, fifty thousand dollars.

For subsistence in kind for regulars and volunteers, eight million one hundred and sixty-three thousand four hundred and fifty-seven dollars and twenty cents.

Contingent expenses of House of Representatives,

Contingent expenses of the House of Representatives. — For folding documents, two thousand five hundred dollars.

For miscellaneous items, four thousand dollars.

For stationery, five thousand five hundred dollars.

For furniture, repairs, and packing boxes for members, seven thousand dollars.

of the Senate.

Contingent expenses of the Senate. — For miscellaneous items, fifteen thousand nine hundred and forty-two dollars and ninety-eight cents.

For clerks of committees, messengers, pages, horses, and carryalls, thirteen thousand seven hundred and eighty-six dollars and fifty cents.

Public Printing.

Public Printing. — To supply the deficiency in the appropriation for paper for the public printing, two hundred and eighty-three thousand dollars.

To supply the deficiency in the appropriation for the public printing, fifty thousand dollars.

APPROVED, February 12, 1863.

Feb. 14, 1863.

CHAP. XXXIII. — *An Act to incorporate the National Association for the Relief of destitute Colored Women and Children.*

“National association for the relief of destitute colored women and children” incorporated.

Purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Sayles J. Bowen, Daniel Breed, George E. Baker, their associates and successors, being members of said society, by paying into its treasury the sum of two dollars annually, or life members by paying fifty dollars at one time, are hereby incorporated and made a body politic by the name of “The National Association for the Relief of Destitute Colored Women and Children,” for the purpose of supporting such aged or indigent and destitute colored women and children as may properly come under the charge of such association; to provide for them a suitable home, board, clothing, and instruction, and to bring them under Christian influence; and by that name shall have perpetual succession, with power to use a common seal, to sue and be sued, to plead and be impleaded in any court of the United States, to collect subscriptions, make by-laws, rules, and regulations needful for the government of said corporation, not inconsistent with the laws of the United States; to have, hold, and receive real and personal estate by purchase, gift, or devise; to use, sell, or convey the same for the purposes and benefit of said corporation, and to choose such officers and teachers as may be deemed necessary, prescribe their duties, and fix the rate of their compensation.

Powers.

Officers.

SEC. 2. *And be it further enacted,* That the officers of said association, shall consist of a president, vice-president, secretary, treasurer, and a board of managers to be composed of nine members, the whole to constitute an

executive committee, whose duty it shall be to carry into effect the plans and purposes for which said association was formed, all of which officers shall be elected on the fifteenth day of March next, and hold their offices till the second Tuesday of January, eighteen hundred and sixty-four, on which day, and annually on the second Tuesday of January in each succeeding year, at the annual meeting of said association, which shall be held on said day, their successors shall be elected and hold their offices for the term of one year, and until their successors shall be duly elected. And in case of a vacancy it shall be filled by the other members of the executive committee.

SEC. 3. *And be it further enacted,* That said society may receive into a house or building to be provided by it, any destitute child or children at the request of the parents or guardians, or next friend, or the mother, if the father be dead, or has abandoned his family, or does not provide for their support, or is an habitual drunkard, such parents, guardians, or next friend, or mother, making a written surrender of such child or children. The superintendent or other officer in immediate charge may, with the concurrence of the executive committee, or of a board of trustees to be appointed by said committee, and to consist of three persons, citizens of Washington City, govern the inmates, preserve order, enforce discipline, impart instruction in useful knowledge and some regular course of labor, and establish rules for the preservation of health, and for their proper physical, intellectual, and moral improvement. The trustees may, with the consent of the executive committee, bind out by indenture, such children as may be deemed capable of learning trades or of becoming useful in other occupations to such persons as will give them the benefit of good examples, wholesome instruction, and other means of improvement in virtue and knowledge, and the opportunity of becoming intelligent, moral, and useful members of society.

Society may receive destitute children.

Government of the institution.

Children may be bound out.

SEC. 4. *And be it further enacted,* That it shall be lawful for said association, by and with the advice and consent of the Secretary of War, to occupy for the objects of said association any lands, not exceeding one hundred acres, and the improvements thereon, which the Government may now own or may hereafter acquire, contiguous to the city of Washington, by confiscation or purchase, such occupation to continue for such a number of years as the Secretary of War may, in writing, prescribe.

What lands association may occupy.

APPROVED, February 14, 1863.

CHAP. XXXIV. — *An Act to establish the Office of Register of Deeds for the District of Columbia.*

Feb. 14, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed by the President, by and with the advice and consent of the Senate, a register of deeds for the District of Columbia, who shall perform all the duties respecting the recording of deeds and other instruments of writing, and all other services connected therewith, authorized to be performed by the clerk of the Circuit Court of said District by the fifth section of the act approved March three, eighteen hundred and one, entitled "An act supplementary to the act entitled 'An act concerning the District of Columbia,'" and shall receive the same fees and emoluments for the same. And the said register shall receive and have the charge and custody of all the records, papers, and property which may be in the custody or possession of said clerk of the Circuit Court, properly appertaining to and belonging to the office of the register of deeds; and the said clerk is hereby required to deliver the same to said register upon proper application therefor.

Register of Deeds for the District of Columbia.

1801, ch. 24, § 5. Vol. ii. p. 115.

Duty of Register.

SEC. 2. *And be it further enacted,* That the Secretary of the Interior be directed to appropriate such rooms in any of the public buildings under

Secretary of Interior to furnish rooms.

his charge for the use of said register as may be necessary for his accommodation, unless it shall appear to said Secretary that such rooms cannot be so appropriated without interfering with the business of his Department; and in that event the said register shall procure, with the approbation of said Secretary, such rooms, in the city of Washington, as may be necessary for the security of the records and the convenient transaction of the business of said office.

Repealing clause. SEC. 3. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, February 14, 1863.

Feb. 16, 1863.

CHAP. XXXVI. — *An Act to issue an American Register to the Steamship Karnak.*

Register to steamship Karnak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby directed to issue an American register to the steamship or vessel known as the Karnak, of the collection district of the port of New York, the same being a British built vessel, but now owned by American citizens.

APPROVED, February 16, 1863.

Feb. 16, 1863.

CHAP. XXXVII. — *An Act for the Relief of Persons for Damages sustained by Reason of Depredations and Injuries by certain Bands of Sioux Indians.*

Damages by Sioux Indians. Preamble.

1863, ch. 107. Post, p. 803.

Whereas the United States heretofore became bound by treaty stipulations to the Sisseton, Wahpaton, Medawakanton, and Wa[h]pakoota bands of the Dakota or Sioux Indians to pay large sums of money and annuities, the greater portion of which remains unpaid according to the terms of said treaty stipulations; and whereas during the past year the aforesaid bands of Indians made an unprovoked, aggressive, and most savage war upon the United States, and massacred a large number of men, women, and children within the State of Minnesota, and destroyed and damaged a large amount of property, and thereby have forfeited all just claim to the said moneys and annuities to the United States; and whereas it is just and equitable that the persons whose property has been destroyed or damaged by the said Indians, or destroyed or damaged by the troops of the United States in said war, should be indemnified in whole or in part out of the indebtedness and annuities so forfeited as aforesaid: Therefore —

Treaties with certain Sioux Indians annulled in part.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all treaties heretofore made and entered into by the Sisseton, Wahpaton, Medawakanton, and Wahpakoota bands of Sioux or Dakota Indians, or any of them, with the United States, are hereby declared to be abrogated and annulled, so far as said treaties or any of them purport to impose any future obligation on the United States, and all lands and rights of occupancy within the State of Minnesota, and all annuities and claims heretofore accorded to said Indians, or any of them, to be forfeited to the United States.

Two thirds of unexpended annuities to be paid to commissioners, and apportioned among survivors of massacres.

SEC. 2. *And be it further enacted*, That two thirds of the balance remaining unexpended of annuities due and payable to said Indians for the present fiscal year, not exceeding one hundred thousand dollars, and the further sum of one hundred thousand dollars, being two thirds of the annuities becoming due and payable to said Indians during the next fiscal year, is hereby appropriated, and shall be paid from the Treasury of the United States, out of any moneys not otherwise appropriated, to the commissioners hereinafter provided for, to be apportioned by them among the heads of families, or, in case of their decease, among the surviving members of

families of the State of Minnesota who suffered damage by the depredations of the Sisseton, Wahpaton, Medawakanton, and Wa[h]pakoota bands of Sioux or Dakota Indians, or by the troops of the United States in the late Indian war in the State of Minnesota, not exceeding the sum of two hundred dollars to any one family, nor the actual damages aforesaid, and no moneys shall be paid under this section except upon those claims which shall be presented to said commissioners on or before the first day of June next, for the payment of which the said commissioners shall take and return to the Secretary of the Interior and to the Secretary of the Treasury duplicate vouchers therefor, certified by them.

Limit in time and amount.

SEC. 3. *And be it further enacted*, That, for the purpose of making the proper distribution of the moneys hereby appropriated for the present relief of such families, and for the purpose of ascertaining the whole amount of said damages and the persons who have suffered the same, it shall be lawful for the President, by and with the advice and consent of the Senate, to appoint three commissioners, not more than one of whom shall be a resident of Minnesota, who shall take an oath in the manner prescribed by the laws of the United States to faithfully discharge their duties; they shall entertain and hear the complaints (in writing, duly verified on oath) of all and every person aggrieved by the depredations of said Indians, and by the troops of the United States in said war; they shall have power to compel the attendance of witnesses, and to administer the proper oaths to them to testify the truth; they shall have power to compel the claimants to be examined and cross-examined on oath, to be administered by them, as to their said claim; they shall hold their sessions at such times and places as will give the persons complaining the fairest opportunity of verifying their claim with the least expense; they shall take care that no unjust or fictitious claim shall be established; and if they have any reason to suppose that any such claim is presented, they shall have power, and it shall be their duty, to procure any countervailing proof, to their knowledge, that the same may be finally rejected. The testimony of the witnesses and the examination of the complainant shall be reduced to writing, signed and certified by them, respectively, and shall, with the petition and all the papers relating to each case, with the finding of the commission, be transmitted to the Secretary of the Interior for his approval, rejection, or modification, to be by him laid before the next Congress. A majority of the commission may select their presiding officer, and shall be competent to decide all questions arising before them.

Three commissioners to be appointed.

Duties.

Powers.

Sessions

Testimony.

Presiding officer.

First session.

Limit of existence of commission.

SEC. 4. *And be it further enacted*, That said commissioners shall hold their first session at Saint Peter's, in the State of Minnesota, on or before the first day of April next, for the hearing of claimants, and that all claims must be presented to said commissioners on or before the first day of September next, or the same shall not be heard by them; and the said commissioners shall make and return their finding, and all the papers relating thereto, on or before the first day of December next.

SEC. 5. *And be it further enacted*, That said commissioners shall receive for their services and expenses the sum of two thousand five hundred dollars each. And they are authorized to depute a proper person to summon witnesses, who shall be entitled to receive his actual expenses, to be allowed by said commissioners, and the sum of three dollars per day for his services. Witnesses subpoenaed in behalf of the United States shall receive pay for attendance, not to exceed the fees allowed by the laws of Minnesota for witnesses attending justices' courts. And, for paying the expenses of said commission, the further sum of ten thousand dollars is hereby appropriated out of the said annuities in the Treasury of the United States, or so much thereof as may be necessary to pay the same.

Pay of commissioners.

Summoning of witnesses.

Pay. Contingencies of commission.

SEC. 6. *And be it further enacted*, That the Secretary of the Interior, immediately after the passage of this act, shall cause the same to be published in four

This act to be published in four

newspapers in
Minnesota.

lished in four of the newspapers of the State of Minnesota which, in his opinion, will give the most publicity to the same among the people who have suffered by said depredations, and give notice of the first meeting of said commissioners, the expenses to be paid out of the sum appropriated in the next preceding section.

Punishment of
perjury.

SEC. 7. *And be it further enacted*, That if the complainant, or any witness testifying before said commissioners, shall be guilty of perjury, upon conviction thereof in the proper court of the United States, he shall suffer the pains and penalties prescribed by the laws of the United States for that offence.

Commissioners
may make rules,
&c.

SEC. 8. *And be it further enacted*, That the said commissioners may make rules, not inconsistent with this act, prescribing the order and mode of presenting, prosecuting, and proving said claims before them, which rules shall be published in one newspaper in the city of Saint Paul and one in Saint Peter for at least two weeks prior to the first session of said commission, to be held at Saint Peter as directed in the fourth section of this act, and the expenses of such publication shall be paid out of the fund appropriated in the fifth section of this act.

Certain land to
be set apart for
Indians who aided
the whites,

SEC. 9. *And be it further enacted*, That the Secretary of the Interior is hereby authorized to set apart of the public lands, not otherwise appropriated, eighty acres in severalty to each individual of the before-named bands who exerted himself in rescuing the whites from the late massacre of said Indians. The land so set apart shall not be subject to any tax, forfeiture, or sale, by process of law, and shall not be aliened or devised, except by the consent of the President of the United States, but shall be an inheritance to said Indians and their heirs forever.

to be free from
taxes, &c.

Commissioners
to give bonds.

SEC. 10. *And be it further enacted*, That said commissioners, before entering upon the discharge of their duties as such, shall give bonds in the usual form to the United States, in the sum of twenty thousand dollars each, with good and sufficient security, to be approved by the Secretary of the Treasury, faithfully to discharge their duties as such, and to account for any money which may come into their hands.

APPROVED, February 16, 1863.

Feb. 20, 1863.

CHAP. XLIII. — *An Act making Appropriations for the Construction, Preservation, and Repairs of certain Fortifications and other Works of Defence for the Year ending thirtieth of June, eighteen hundred and sixty-four.*

Appropriations
for fortifications.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the construction, preservation, and repairs of certain fortifications and other works of defence for the year ending the thirtieth of June, eighteen hundred and sixty-four :

Fort Montgom-
ery.

For Fort Montgomery, at outlet of Lake Champlain, New York, one hundred thousand dollars.

Fort Knox.

For Fort Knox, at Narrows of Penobscot River, Maine, one hundred and fifty thousand dollars.

Kennebec River.

For fort at entrance of Kennebec River, Maine, one hundred thousand dollars.

Hog Island
Ledge.

For fort on Hog Island Ledge, Portland Harbor, Maine, one hundred and fifty thousand dollars.

Fort Preble.

For new Fort Preble, Portland Harbor, Maine, one hundred and fifty thousand dollars.

Fort Scammel.

For Fort Scammel, Portland Harbor, Maine, one hundred and fifty thousand dollars.

Fort Constitu-
tion.

For new Fort Constitution, Portsmouth Harbor, New Hampshire, two hundred thousand dollars.

For new Fort McClary, Portsmouth Harbor, New Hampshire, one hundred thousand dollars.	Fort McClary.
For Fort Winthrop and exterior batteries, Governor's Island, Boston Harbor, Massachusetts, fifty thousand dollars.	Fort Winthrop.
For Fort Warren, Boston Harbor, Massachusetts, twenty-five thousand dollars.	Fort Warren.
For permanent forts at Provincetown Harbor, Massachusetts, one hundred and fifty thousand dollars.	Provincetown Harbor.
For permanent forts at New Bedford Harbor, Massachusetts, one hundred and fifty thousand dollars.	New Bedford.
For Fort Adams, Newport Harbor, Rhode Island, twenty-five thousand dollars.	Fort Adams.
For permanent defences at Narragansett Bay, Rhode Island, one hundred and fifty thousand dollars.	Narragansett Bay.
For additional fortifications at New London Harbor, Connecticut, two hundred thousand dollars: <i>Provided, however,</i> That this appropriation shall not be expended unless New London be selected as a permanent site for a navy yard or naval station.	New London Harbor.
For Fort Schuyler, East River, New York, twenty-five thousand dollars.	Fort Schuyler.
For fort at Willet's Point, opposite Fort Schuyler, New York, two hundred and fifty thousand dollars.	Willet's Point.
For fort on site of Fort Tompkins, Staten Island, New York, two hundred thousand dollars.	
For casemated battery on Staten Island, New York, two hundred thousand dollars.	Staten Island.
For new battery near Fort Hamilton, New York, one hundred thousand dollars.	Fort Hamilton.
For fort at Sandy Hook, New Jersey, one hundred and fifty thousand dollars.	Sandy Hook.
For Fort Delaware, Delaware River, two hundred thousand dollars.	Fort Delaware.
For permanent work, for Delaware Breakwater Harbor, one hundred thousand dollars.	
For Fort Carroll, Baltimore Harbor, Maryland, two hundred thousand dollars.	Fort Carroll.
For Fort Monroe, Hampton Roads, Virginia, fifty thousand dollars.	Fort Monroe.
For Fort Wool, Hampton Roads, Virginia, two hundred thousand dollars.	Fort Wool.
For Fort Clinch, entrance to Cumberland Sound, Florida, one hundred and fifty thousand dollars.	Fort Clinch.
For Fort Taylor, Key West, Florida, three hundred thousand dollars.	Fort Taylor.
For Fort Jefferson, Garden Key, Florida, three hundred thousand dollars.	Fort Jefferson.
For new fort at Tortugas, Florida, one hundred thousand dollars.	Tortugas.
For fort at Ship Island, Coast of Mississippi, one hundred and seventy-five thousand dollars.	Ship Island.
For Fort Jackson, Mississippi River, one hundred thousand dollars.	Fort Jackson.
For Fort Saint Philip, Mississippi River, one hundred thousand dollars.	Fort Saint Philip.
For fort at Fort Point, San Francisco Bay, California, two hundred thousand dollars.	Fort Point.
For fort at Alcatraz Island, San Francisco Bay, California, one hundred thousand dollars.	Alcatraz Island.
For defensive works in Oregon, and Washington Territory, two hundred thousand dollars.	Oregon and Washington.
For contingencies of fortifications, including field works and field operations, seven hundred thousand dollars.	Contingencies.
For tool and siege trains for armies in the field, two hundred and fifty thousand dollars.	Tool and siege trains.

Bridge trains, &c. For bridge trains and equipage for armies in the field, five hundred thousand dollars.

Defence of Washington. For completing fortifications and erecting new ones for the defence of Washington, two hundred thousand dollars.

APPROVED, February 20, 1863.

Feb. 20, 1863. CHAP. XLIV. — *An Act to provide for the Appointment of an Assistant Register in the Treasury Department and a Solicitor for the War Department, and for other Purposes.*

President may appoint Assistant Register of the Treasury. Salary. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President be, and he is hereby authorized, to appoint, by and with the advice and consent of the Senate, for the term of one year, an officer in the office of the Register of the Treasury, to be called the assistant register, at an annual salary of two thousand dollars.

Duty. SEC. 2. *And be it further enacted,* That the duties of said assistant shall be such as may be devolved on him by the Register of the Treasury, and, in the absence of the Register, said assistant shall act in his place and stead; and any official record, certificate, or other document, excepting warrants, bonds, and drafts, if signed by the assistant register, shall have the same legal force and validity as if signed by the Register of the Treasury.

Solicitor of War Department. Salary. SEC. 3. *And be it further enacted,* That the President be, and he is hereby authorized, to appoint, by and with the advice and consent of the Senate, an officer in the War Department, to be called the Solicitor of the War Department, at an annual salary of twenty-five hundred dollars.

Appropriation. SEC. 4. *And be it further enacted,* That the amount necessary to pay the salaries of the officers authorized to be appointed by this act, for the current and next fiscal years, be paid out of any moneys in the treasury not otherwise appropriated.

APPROVED, February 20, 1863.

Feb. 20, 1863. CHAP. XLV. — *An Act temporarily to supply Vacancies in the Executive Departments in Certain Cases.*

Vacancies in Executive Departments, how filled. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in case of the death, resignation, absence from the seat of Government, or sickness, of the head of any Executive Department of the Government, or of any officer of either of the said Departments whose appointment is not in the head thereof, whereby they cannot perform the duties of their respective offices, it shall be lawful for the President of the United States, in case he shall think it necessary, to authorize the head of any other Executive Department, or other officer in either of said Departments, whose appointment is vested in the President, at his discretion, to perform the duties of the said respective offices until a successor be appointed, or until such absence or inability by sickness shall cease: *Provided,* That no one vacancy shall be supplied in manner aforesaid for a longer term than six months.

For what time. Repealing clause. SEC. 2. *And be it further enacted,* That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

APPROVED, February 20, 1863.

Feb. 20, 1863. CHAP. XLVI. — *An Act concerning Pardons and the Remission of Penalties and Forfeitures in Criminal Cases.*

Pardons and remission of penalties in criminal cases. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (to remove doubts as to the true meaning of former laws) hereafter, whenever by the judgment of any court or judicial officer of the United States, in any criminal

proceeding, any person shall be sentenced, or shall have been sentenced heretofore, to two kinds of punishment, the one pecuniary and the other corporal, the President shall have full discretionary power to pardon or remit, in whole or in part, either one of the two kinds, without in any manner impairing the legal validity of the other kind, or of any portion of either kind, not pardoned or remitted.

Fines and penalties may be collected on execution.

SEC. 2. *And be it further enacted*, That in all criminal cases in which there has been or shall be a judgment or sentence against any person, as a fine or penalty, whether alone or along with any other kind of punishment, the same shall be deemed a judgment debt, and (unless pardoned or remitted by the President) may be collected on execution in the common form of law.

APPROVED, February 20, 1863.

CHAP. XLVII. — *An Act to change the Times of holding the Circuit and District Courts of the United States for the District of Indiana.* Feb. 20, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, instead of the times now fixed by law, the circuit and district courts of the United States for the district of Indiana shall be held on the first Tuesdays of May and November. And all recognizances, indictments, or other proceedings, civil and criminal, now pending in either of said courts, shall be entered and have day in court, and be heard and tried, according to the times of holding such courts as herein provided.

Terms of circuit and district courts in Indiana.

APPROVED, February 20, 1863.

CHAP. XLIX. — *An Act to change the Times of holding the Circuit and District Courts of the United States in the several Districts in the Seventh Circuit.* Feb. 21, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, instead of the times now fixed by law, the circuit and district courts of the United States for the several districts in the States composing the seventh judicial circuit shall hereafter be held as follows :—

Terms of circuit and district courts in Ohio.

Ohio.— At Cleveland, for the northern district of Ohio, on the first Tuesdays in the months of January, May, and September in each year.

At Cincinnati, for the southern district of Ohio, on the first Tuesdays in the months of February, April, and October in each year.

Michigan.— At Detroit, for the district of Michigan, on the first Tuesdays in June, November, and March in each year. And all recognizances, indictments, or other proceedings, civil and criminal, now pending in either of said courts, shall be entered and have day in court, and be heard and tried, according to the times of holding said courts as herein provided.

Michigan. Provision for pending process. Post, p. 661.

APPROVED, February 21, 1863.

CHAP. L. — *An Act to allow the United States to prosecute Appeals and Writs of Error without giving Security.* Feb. 21, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any writ of error, appeal, or other process in law, admiralty, or equity shall issue from or be brought up to the Supreme Court of the United States, either by the United States or by direction of any Department of the Government thereof, no bond, obligation, or security shall be required from the United States, or from any party acting under the direction aforesaid, by any judge or clerk of court, either to prosecute said suit or to answer in damages or costs. In case of an adverse decision, such costs as by law are taxable against the United States shall be paid out of the contingent

The United States may prosecute appeals, &c., without security for costs.

Costs, how paid.

fund of the Department under whose direction the proceedings shall have been instituted. All acts and parts of acts inconsistent herewith are hereby repealed.

APPROVED, February 21, 1863.

Feb. 21, 1863. CHAP. LI. — *An Act extending the Time for carrying into Effect the Provisions of the Third Section of the Act entitled "An Act relating to Highways in the County of Washington and District of Columbia," approved May three, eighteen hundred and sixty-two.*

1862, ch. 63, § 3.
Ante, p. 383.

Time extended to three years.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the period named in the third section of the act entitled "An act relating to highways in the county of Washington and District of Columbia," approved May three, eighteen hundred and sixty-two, requiring that the roads designated in said section shall be surveyed, platted, and recorded within one year from the passage of said act, be extended to three years; and the levy court of said county of Washington is hereby authorized to cause the survey, platting, and recording of such roads, in each year, as it may deem proper and necessary: *Provided,* That all of said roads be so surveyed, platted, and recorded within the period of three years.

President may fill vacancies in levy court.

SEC. 2. *And be it further enacted,* That the President of the United States be, and he is hereby empowered, by and with the advice and consent of the Senate, to fill any vacancy that may hereafter occur in said levy court; and all acts or parts of acts inconsistent with the above recited act or with this act are hereby repealed.

APPROVED, February 21, 1863.

Feb. 21, 1863. CHAP. LII. — *An Act to annex a Part of the State of New Jersey to the Collection District of New York, and to appoint an Assistant Collector, to reside at Jersey City.*

Portions of New Jersey added to collection district of New York.

Assistant collector at Jersey city.

Salary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the State of New Jersey which lies north and east of Elizabethtown and Staten Island, comprising the counties of Hudson and Bergen, be, and the same is hereby, annexed to the collection district of New York; that an assistant collector, to be appointed by the President of the United States, shall reside at Jersey City, who shall have power to enter and clear vessels in like manner as the collector of New York is authorized by law to do, but such assistant collector shall, nevertheless, act in conformity to such instructions and regulations as he shall from time to time receive from the collector of New York; and that the said assistant collector shall receive for his annual salary two thousand dollars in full for all services to be by him performed, and in lieu of commissions and fees.

APPROVED, February 21, 1863.

Feb. 21, 1863. CHAP. LIII. — *An Act for the Removal of the Winnebago Indians, and for the Sale of their Reservation in Minnesota for their Benefit.*

President may set apart a tract of land for the Winnebago Indians,

and remove them from Minnesota.

Subdivisions of present reservation to be appraised.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized to assign to and set apart for the Winnebago Indians a tract of unoccupied land beyond the limits of any State, in extent at least equal to their diminished reservation, the same to be well adapted for agricultural purposes. And it shall be lawful for the President to take such steps as he may deem proper to effect the peaceful and quiet removal of the said Indians from the State of Minnesota, and to settle them upon the lands which may be assigned to them under the provisions of this act.

SEC. 2. *And be it further enacted,* That, upon the removal of the said Indians from the reservation where they now reside, it shall be the duty

of the Secretary of the Interior to cause each legal subdivision of the said lands to be appraised by discreet persons to be appointed by him for that purpose. And in each instance where there are improvements upon any legal subdivision of said lands, the improvements shall be separately appraised. But no portion of the said lands shall be subject to preëmption, settlement, entry, or location under any act of Congress, unless the party preëmpting, settling upon, or locating any portion of said lands shall pay therefor the full appraised value thereof, including the value of the said improvements, under such regulations as hereinafter provided.

When to be subject to preëmption.

SEC. 3. *And be it further enacted*, That after the appraisal of the said reservation the same shall be opened to preëmption, entry, and settlement, in the same manner as other public lands: *Provided*, That before any person shall be entitled to enter any portion of the said lands, by preëmption or otherwise, previous to their exposure to sale to the highest bidder, at public outcry, he shall become an actual bonâ fide settler thereon, and shall conform to all the regulations now provided by law in cases of preëmption, and shall pay, within the term of one year from the date of his settlement, the full appraised value of the land, and the improvements thereon, to the land officers of the district where the said lands are situated. And the portion of the said reservation which may not be settled upon, as aforesaid, may be sold at public auction, as other public lands are sold, after which they shall be subject to sale at private entry, as other public lands of the United States, but no portion thereof shall be sold for a sum less than their appraised value before the first of January, Anno Domini eighteen hundred and sixty-five, nor for a less price than one dollar and twenty-five cents per acre, unless otherwise provided by law: *Provided*, That where improvements have been made upon said lands by persons authorized by law to trade with said Indians, the value of such improvements, or the price for which the same may be sold, shall be paid to the parties making the same; and in case the land upon which such improvements shall have been made shall be purchased by the parties making the same, at the appraised value as aforesaid, the value of the improvements so made by him shall form no part of the purchase price to be paid for said land.

After appraisal to be opened to preëmption, &c.

Who may preëempt.

What is not preëmpted may be sold.

Minimum price.

Improvements.

SEC. 4. *And be it further enacted*, That the lands of said Indians which have been set apart for the payment of the debts of the said Indians, shall be sold on sealed bids for the best price the same will bring; but no bids shall be received for said lands until the first day of January, Anno Domini eighteen hundred and sixty-five, for less than two dollars and fifty cents per acre. Bids shall be received for tracts of quarter sections; and for such tracts conforming to the Government surveys less than one hundred and sixty acres as will secure the largest price for said lands, the Secretary is authorized to receive, in payment of said lands, certificates of indebtedness of said Indians, issued by the Commissioner of Indian Affairs for the debts of said Indians, secured to be paid out of the sale of said lands by the third article of the treaty of the said Indians with the United States, concluded at Washington on the fifteenth day of April, eighteen hundred and fifty-nine. The money arising from the sale of their said lands, after paying the indebtedness required by said treaty to be paid, shall be paid into the treasury of the United States, and shall be expended as the same is received, under the direction of the Secretary of the Interior, in necessary improvements upon their new reservation; and it shall be the duty of the Secretary of the Interior to allot to said Indians in severalty lands which they may respectively cultivate and improve, not exceeding eighty acres to each head of a family other than to the chiefs, to whom larger allotments may be made, which lands, when so allotted, shall be vested in said Indian and his heirs, without the right of alienation, and shall be evidenced by patent.

Lands set apart for debts to be sold by sealed bids.

Time, &c., for bidding.

What received in payment.

Proceeds, how disposed of.

Allotments in severalty.

SEC. 5. *And be it further enacted*, That the money to be annually

Annual appro-

priations, how expended.

Discrimination in favor of faithful chiefs.

Contracts of Indians.

Education.

appropriated for the benefit of the said Indians shall be expended in such manner as will, in the judgment of the President, best advance the said Indians in agricultural and mechanical pursuits, and enable them to sustain themselves without the aid of the Government. And in such expenditure reasonable discrimination may be made in favor of the chiefs who shall be found faithful to the Government of the United States, and efficient in maintaining its authority and the peace of the Indians. Said Indians shall be subject to the laws of the United States, and to the criminal laws of the State or Territory in which they may happen to reside. They shall also be subject to such rules and regulations for their government as the Secretary of the Interior may prescribe; but they shall be deemed incapable of making any valid civil contract with any person other than a native member of their tribe without the consent of the President of the United States. The Secretary of the Interior shall also make reasonable provision for the education of said Indians, according to their capacity and the means at his command.

APPROVED, February 21, 1863.

Feb. 24, 1863.

CHAP. LIV. — *An Act to divide the State of Michigan into two Judicial Districts, and to provide for holding the District and Circuit Courts therein.*

Michigan divided into two judicial districts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Michigan be, and the same is hereby, divided into two judicial districts, in the following manner, namely: —

THE EASTERN AND WESTERN DISTRICTS.

Western district.

The western district shall embrace all the territory and waters within the following boundaries, to wit: Commencing at the southwest corner of Hillsdale county, in the State of Michigan, and running from thence north, on the west line of said county, to the south line of Calhoun county; thence east, on the south line thereof, to the southeast corner of said last-named county; thence north, on the east boundary of said county, to the south line of Eaton county; thence east, on said south line, to the southeast corner of Eaton county; thence north, on the east boundary of Eaton county, to the south line of Clinton county; thence west, on the south boundary of said county, to the southwest corner thereof; thence north, on the west boundary of Clinton and Gratiot counties, to the south boundary of Isabella county; thence west, on its south boundary, to the southwest corner of said last-named county; thence north, on the west line of Isabella and Clare counties, to the south boundary of Missaukee county; thence east, on its south boundary, to the southeast corner of Missaukee county; thence north, on the east line of Missaukee, Kalamazoo, and Antrim counties, to the south boundary [of] Emmet county; thence east to the southeast corner of Emmet county; thence north, on the east boundary of Emmet county, to the Straits of Mackinac; thence north to midway across said straits; thence westerly, in a direct line, to a point on the shore of Lake Michigan where the north boundary of Delta county reaches Lake Michigan; thence west, on the north line of Delta county, to the northwest corner of said Delta county; thence south, on the west boundary of said county, to the dividing line between the States of Michigan and Wisconsin in Green Bay; thence northeasterly, on the said dividing line, into Lake Michigan; and thence southerly, through Lake Michigan, to the southwest corner of the State of Michigan, on a line that will include within said boundaries the waters of Lake Michigan within the admiralty jurisdiction of the State of Michigan; thence east, on the south boundary of the State of Michigan, to the intersection of the west line of Hillsdale county. The judicial centre of which district shall be at Grand Rapids, in the county of Kent, where the courts of

Courts, where held.

said district shall be held. The eastern district shall embrace all the other territory of the State of Michigan and all other waters of said State not embraced within the foregoing boundaries of said western district. The judicial centre of said eastern district shall be at Detroit, in the county of Wayne, where the courts of said district shall be held.

Eastern district.

Place of holding courts.

SEC. 2. *And be it further enacted*, That there shall be two terms of the circuit and district courts begun and held in each of said districts, to wit: At the city of Detroit, for the eastern district, on the first Tuesday in June, November, and March in each year; and at the city of Grand Rapids, for the western district, on the third Monday of May and third Monday of October in each year. And the said courts are hereby authorized to hold adjourned terms when the business before the courts shall, in the opinion of the court, require it.

Terms of courts.

Ante, p. 657.

SEC. 3. *And be it further enacted*, That all suits and other proceedings, of whatever name or nature, now pending in the circuit or district courts of the United States for the district of Michigan, shall be tried and disposed of in the circuit and district courts, respectively, for the eastern district of Michigan, in the same manner as the same would have been in case said State had not been divided into two districts; and for that purpose the jurisdiction is reserved to said courts in the eastern district; and the clerk of the circuit and district courts for the present district of Michigan shall remove the records and files of the said circuit and district courts to the city of Detroit, and do and perform all the duties appertaining to his office within the eastern district; and all process and other proceedings taken or issued, or made returnable to the circuit or district court for the present district of Michigan, shall be returnable at the next term of the said courts, respectively, in the eastern district of Michigan.

Provision for pending suits and process.

Records and files.

SEC. 4. *And be it further enacted*, That, upon the application of any party to any suit now pending which would have been commenced in the western district if this act had been in force before the commencement of said suit, the proper court may, and, if all parties consent, shall, order that the same be removed for further proceedings to the proper court for the western district; and thereupon the clerk shall transmit all the papers in the cause, with a transcript of the order of the removal, to the clerk of the court to which the said suit shall be removed; and all further proceedings shall be had in said court as if the suit had been originally commenced therein.

Suits pending may be removed to western district.

SEC. 5. *And be it further enacted*, That the present judge of the district of Michigan be, and he is hereby, assigned to hold said courts in the eastern district of Michigan, and shall exercise the same jurisdiction and perform the same duties within said district as he now exercises and performs within his present district.

Present judge to hold courts in eastern district.

SEC. 6. *And be it further enacted*, That final process upon any judgment or decree entered in the circuit or district court of the United States for the district of Michigan, and all other process for the enforcement of any order of said courts, respectively, in any cause now pending therein, except causes removed as hereinbefore provided, shall be issued from and made returnable to the proper court for the eastern district of Michigan, and may run and be executed by the marshal of said eastern district in any part of said State.

Final process, &c., returnable to eastern district.

SEC. 7. *And be it further enacted*, That there be appointed a district judge for the said western district of Michigan, who shall possess the same powers and do and perform all such duties in his district as are now enjoined or in any wise appertaining to the present district judge for the district of Michigan; and the district judge of each district shall be entitled to the same compensation as by law is provided for the present judge for the district of Michigan.

Judge to be appointed for western district.

Pay.

SEC. 8. *And be it further enacted*, That there be appointed one person as district attorney, and one person as marshal for said western district,

District attorney and marshal.

Pay and duties. whose terms of appointment and service, as well as duties and emoluments, shall be the same with those respectively appertaining to the said offices in the district of Michigan. And said marshal shall give the same bond that other marshals are required to give, to be approved and recorded as now directed by law : *Provided*, That the present district attorney of the district of Michigan shall be the district attorney of the eastern district, and retain the charge of all suits already commenced until final termination, unless the President of the United States shall otherwise direct, and the present marshal of the district of Michigan shall be the marshal of the eastern district, during their respective official terms.

Present marshal and district attorney. **SEC. 9.** *And be it further enacted*, That all suits hereafter to be brought in either of said courts not of a local nature, shall be brought in the court of the district where the defendant resides ; but if there be more than one defendant, and they reside in different districts, the plaintiff may sue in either, and send a duplicate writ against the defendants, directed to the marshal of the other district, on which an endorsement shall be made that the writ thus sent is a copy of a writ sued out of the court of the proper district ; and the said writs, when executed and returned into the office from whence they issued, shall constitute one suit, and be proceeded in accordingly.

Suits, where to be brought hereafter.

APPROVED, February 24, 1863.

Feb. 24, 1863.

CHAP. LV. — *An Act to establish certain Post Roads.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following be established as post roads : —

Post roads established in California.

CALIFORNIA.

From Colusa to Bear Valley.
 From Folsom to Lincoln.
 From Trinity Centre, via Summerville, Cecilville, and Centreville, to the Forks of Salmon River, in Klamath county.

Missouri.

MISSOURI.

From Warrenton to Troy.
 From Warrenton to Pinkney.
 From St. Charles to Elsah, in Jersey county, Illinois, via Portage de Sioux.
 From Wellsburg, by Chain of Rocks, Bailey's, Chantilly, and Snow Hill, to New Hope, in Lincoln county.
 From Mount Vernon to Carthage, via Bowei's Mills.

Illinois.

ILLINOIS.

From Peru Station to Blue Grass.

Indiana.

INDIANA.

From Knox to Hamlet.
 From Bristol, Indiana, via Osborn's Corners, to Brownsville, Michigan.
 From Wilmot, via Indian Village, Cromwell, to Ligonier.
 From Brookville to Sumanville.

Iowa.

IOWA.

From Des Moines, via Adelphia, Vandalia, Bennington, and Red Rock to Knoxville.
 From Sioux City to the Yancton Agency, Fort Randal, Fort Pierre, Fort Berthol, Fort Union, mouth of Milk River, Fort Benton, Sun River Farms, Deer Lodge, to Bitter Root Valley.
 From Masonville to Marion.

KENTUCKY.

Kentucky.

From Vanceburg, via Kinny Mills and the mouth of Laurel, to Olive Hill.

NEBRASKA.

Nebraska.

From Omaha City, via De Witt, to West Point.

From Omaha City, via Hazleton, to Forest City.

From Fremont, via Jalapa, to West Point.

From Columbus, via Monroe, to Genoa.

From Columbus to Camden.

From Nebraska Centre, via Elm Creek, Buffalo Creek, mouth of North Fork of Platte River, and Lodge Pole Creek, to Boulder City, Colorado Territory.

From Fort Laramie, via Deer Creek, Platte Bridge, Green River, and Fort Bridger, to Salt Lake City, Utah Territory.

From Cottonwood Springs, via Republican Fork, to Fort Riley, Kansas.

From Plattsmouth, via Plattsford and Forks of Salt Creek, to Camden.

From Brownsville, via St. Frederick, Tecumseh, Vesta, and Austin, to Camden.

UTAH.

Utah.

From Beaver, via Greenville and Fort Adams, to Minersville.

From Payson to Goshen.

NEW YORK.

New York

From Boonville, via East Road, to Port Leyden, and thence, via River Road, to Lyons Falls.

From Pittsfield, Pennsylvania, via Freehold and Lottsville, to Broken Straw.

OHIO.

Ohio.

From New England to Amesville.

From Braceville to Farmington.

From Greenville, via Clapboard Town, Dill's Station, Beansville, Nevada, Brock, to North Star, in Darke county.

PENNSYLVANIA.

Pennsylvania

From Mapleton, the present terminus of route number twenty-five hundred and eighty-three, to Newtown.

From Pittsburg to West Middleton.

From Germantown to Silver Rock.

From New Germantown to Concord.

From Quakertown, via Richlandtown, Pleasant Valley, Springtown, and Durham, to Rieglesville.

From Pike, via Wyulusing, to Dushore.

From Pleasantville, via Tionesta, to Clarion.

From New Germantown, in Perry county, to Concord, in Franklin county.

From Milton, Northumberland county, to Lewistonville, in the county of Montour.

From West Nanticoke, via Harvey's Creek, to Silver Rock.

From Stroudsburg, in Monroe county, via Snydersville, Kellersville, and Fennessville, to Brodheads ville.

From Kelly's Station, on the Alleghany Valley Railroad, to Cochran's Mills, in Armstrong county.

From Reading, via Adams', Brownsville, and Klop's Store, to Womelsdorp.

From New Germantown, Perry county, to Concord, in the county of Franklin.

Wisconsin.

WISCONSIN.

From Wausau to Jenny.

From Waupacca, via Amherst, to Plover.

West Virginia.

WEST VIRGINIA.

From Kingwood, via Albright, to Portland.

Colorado.

COLORADO.

From Denver to Bear Cañon, on the headwaters of West Plumb Creek.

From Golden City to Ralston Creek.

Dakota.

DAKOTA.

From Mankato, Minnesota, via Madalia, Ashipman, Randolph Lake, Stevens Lake, north and south bends of the Des Moines River, Lake Graham, Blue Mound, Sioux Falls, Upper James Crossing, Yankton, Smutty Bear's Camp, Bon Homme, Wannavi, Tuffsville, (or Neshuda,) Philbrick's Crossing, (or Choteau,) and Greenwood, to Fort Randall.

From Elkpoint, via Brule Creek and Valley of Big Sioux River, to Sioux Falls City.

From Great Salt Lake City, Utah, via Ogden City, Cache Valley, Snake River Ferry, and Bannaek City, to Fort Benton.

Nevada.

NEVADA.

From Chico, California, via Susanville, to Humboldt City.

Washington.

WASHINGTON.

From Fort Laramie, Nebraska, to Hell-Gate, Washington.

Construction
of act.
1861, ch. 73, § 8.
Ante, p. 205.

SEC. 2. *And be it further enacted*, That the true intent and meaning of the eighth section of the act entitled "An act making appropriations for the service of the Post-Office Department during the fiscal year ending the thirtieth day of June, eighteen hundred and sixty-two," shall be taken, deemed, and construed to be directory to the Postmaster-General to make the mail service on the route therein mentioned semi-weekly for the period therein provided.

Overland mail
company may oc-
cupy certain
lands, &c.

SEC. 3. *And be it further enacted*, That the Overland Mail Company now engaged in carrying the United States mail from Saint Joseph, Missouri, to Placerville, California, shall have the privilege of occupying the public lands where their stations are fixed at the rate of not more than one for every ten miles of the route on which said company carry the said mail, and shall have preëmption right therein of any land, not mineral, and not disposed of or reserved, or to which a preëmption or homestead claim has not attached when the same shall be brought into market to the extent of one hundred and sixty acres, to be selected contiguous to and to include their improvements; said preëmption right being in lieu of the same heretofore granted by the twelfth section of the act approved third March, eighteen hundred and fifty-seven, entitled "An act making appropriations for the service of the Post-Office Department during the fiscal year ending thirtieth June, eighteen hundred and fifty-eight."

Preëmption
rights.

1857, ch. 96, § 12.
Vol. xi. p. 190.

APPROVED, February 24, 1863.

Feb. 24, 1863.

CHAP. LVI. — *An Act to provide a temporary Government for the Territory of Arizona, and for other Purposes.*

Territory of
Arizona.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the present Territory of New Mexico situate west of a line running due south from

the point where the southwest corner of the Territory of Colorado joins the northern boundary of the Territory of New Mexico to the southern boundary line of said Territory of New Mexico be, and the same is hereby, erected into a temporary government by the name of the Territory of Arizona: *Provided*, That nothing contained in the provisions of this act shall be construed to prohibit the Congress of the United States from dividing said Territory or changing its boundaries in such manner and at such time as it may deem proper: *Provided, further*, That said government shall be maintained and continued until such time as the people residing in said Territory shall, with the consent of Congress, form a State government, republican in form, as prescribed in the Constitution of the United States, and apply for and obtain admission into the Union as a State, on an equal footing with the original States.

Boundaries.

May be divided hereafter.

Territorial government to remain until, &c.

SEC. 2. *And be it further enacted*, That the government hereby authorized shall consist of an executive, legislative, and judicial power. The executive power shall be vested in a governor. The legislative power shall consist of a council of nine members, and a house of representatives of eighteen. The judicial power shall be vested in a supreme court, to consist of three judges, and such inferior courts as the legislative council may by law prescribe; there shall also be a secretary, a marshal, a district attorney, and a surveyor-general for said Territory, who, together with the governor and judges of the supreme court, shall be appointed by the President, by and with the advice and consent of the Senate, and the term of office for each, the manner of their appointment, and the powers, duties, and the compensation of the governor, legislative assembly, judges of the supreme court, secretary, marshal, district attorney, and surveyor-general aforesaid, with their clerks, draughtsman, deputies, and sergeant-at-arms, shall be such as are conferred upon the same officers by the act organizing the Territorial government of New Mexico, which subordinate officers shall be appointed in the same manner, and not exceed in number those created by said act; and acts amendatory thereto, together with all legislative enactments of the Territory of New Mexico not inconsistent with the provisions of this act, are hereby extended to and continued in force in the said Territory of Arizona, until repealed or amended by future legislation: *Provided*, That no salary shall be due or paid the officers created by this act until they have entered upon the duties of their respective offices within the said Territory.

Government, executive, legislative, judicial.

Officers, how appointed, &c.

Acts governing New Mexico extended to this territory.

Proviso.

SEC. 3. *And be it further enacted*, That there shall neither be slavery nor involuntary servitude in the said Territory, otherwise than in the punishment of crimes, whereof the parties shall have been duly convicted; and all acts and parts of acts, either of Congress or of the Territory of New Mexico, establishing, regulating, or in any way recognizing the relation of master and slave in said Territory, are hereby repealed.

Slavery not to exist therein.

APPROVED, February 24, 1863.

CHAP. LVIII — *An Act to provide a national Currency, secured by a Pledge of United States Stocks, and to provide for the Circulation and Redemption thereof.*

Feb. 25, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established in the Treasury Department a separate bureau, which shall be charged with the execution of this and all other laws that may be passed by Congress respecting the issue and regulation of a national currency secured by United States bonds. The chief officer of the said bureau shall be denominated the comptroller of the currency, and shall be under the general direction of the Secretary of the Treasury. He shall be appointed by the President, on the nomination of the Secretary of the Treasury, by and with the advice and consent of the Senate, and shall hold his office for the term of five years unless sooner removed by the

Bureau of currency.

Comptroller of currency; appointment; term; salary.

Deputy comptroller; salary; duties.

Clerks.

Oath and bond of Comptroller and deputy.

President, by and with the advice and consent of the Senate; he shall receive an annual salary of five thousand dollars; he shall have a competent deputy, appointed by the Secretary, whose salary shall be two thousand five hundred dollars, and who shall possess the power and perform the duties attached by law to the office of comptroller during a vacancy in such office, and during his absence or inability; he shall employ, from time to time, the necessary clerks to discharge such duties as he shall direct, which clerks shall be appointed and classified by the Secretary of the Treasury in the manner now provided by law. Within fifteen days from the time of notice of his appointment, the comptroller shall take and subscribe the oath of office prescribed by the Constitution and laws of the United States; and he shall give to the United States a bond in the penalty of one hundred thousand dollars, with not less than two responsible freeholders as sureties, to be approved by the Secretary of the Treasury, conditioned for the faithful discharge of the duties of his office. The deputy comptroller so appointed shall also take the oath of office prescribed by the Constitution and laws of the United States, and shall give a like bond in the penalty of fifty thousand dollars. The comptroller and deputy comptroller shall not, either directly or indirectly, be interested in any association issuing national currency under the provisions of this act.

Seal of office.

Certificates, &c., under seal to be received in evidence.

Impression may be on paper.

SEC. 2. *And be it further enacted,* That the comptroller of the currency, with the approval of the Secretary of the Treasury, shall devise a seal, with suitable inscriptions, for his office, a description of which, with a certificate of approval by the Secretary of the Treasury, shall be filed in the office of the Secretary of State with an impression thereof, which shall thereupon become the seal of office of the comptroller of the currency, and the same may be renewed when necessary. Every certificate, assignment, and conveyance executed by the comptroller, in pursuance of any authority conferred on him by law, and sealed with his seal of office, shall be received in evidence in all places and courts whatsoever; and all copies of papers in the office of the comptroller, certified by him and authenticated by the said seal, shall in all cases be evidence equally and in like manner as the original. An impression of such seal directly on the paper shall be as valid as if made on wax or wafer.

Rooms in Treasury building for bureau.

Fire-proof vaults.

SEC. 3. *And be it further enacted,* That there shall be assigned to the comptroller of the currency by the Secretary of the Treasury suitable rooms in the treasury building for conducting the business of the currency bureau, in which shall be safe and secure fire-proof vaults, in which it shall be the duty of the comptroller to deposit and safely keep all the plates and other valuable things belonging to his department; and the comptroller shall from time to time furnish the necessary furniture, stationery, fuel, lights, and other proper conveniences for the transaction of the said business.

"United States bonds" to mean what.

SEC. 4. *And be it further enacted,* That the term "United States bonds," as used in this act, shall be construed to mean all coupon and registered bonds now issued or that may hereafter be issued on the faith of the United States by the Secretary of the Treasury in pursuance of law.

Banking associations, how formed.

SEC. 5. *And be it further enacted,* That associations for carrying on the business of banking may be formed by any number of persons, not less in any case than five.

Certificate to specify what.

SEC. 6. *And be it further enacted,* That persons uniting to form such an association shall, under their hands and seals, make a certificate which shall specify—

First. The name assumed by such association.

Second. The place where its operations of discount and deposite are to be carried on; designating the State, Territory, or district, and also the particular city, town, or village.

Third. The amount of its capital stock, and the number of shares into which the same shall be divided; which capital stock shall not be less than fifty thousand dollars; and in cities whose population is over ten thousand persons, the capital stock shall not be less than one hundred thousand dollars.

Fourth. The names and places of residence of the shareholders, and the number of shares held by each of them.

Fifth. The time when such association shall commence.

Sixth. A declaration that said certificate is made to enable such persons to avail themselves of the advantages of this act.

The said certificate shall be acknowledged before a judge of some court of record or a notary public, and the acknowledgement thereof certified under the seal of such court or notary, and shall be transmitted, together with a copy of the articles of association which shall have been adopted, to the comptroller of the currency, who shall record and carefully preserve the same in his office. Copies of such certificate, duly certified by the comptroller, and authenticated by his seal of office, shall be legal and sufficient evidence in all courts and places within the United States, or the jurisdiction of the Government thereof, of the existence of such association, and of every other matter or thing which could be proved by the production of the original certificate.

Certificate to be acknowledged, certified, and preserved in office of comptroller.

Authenticated copies.

SEC. 7. *And be it further enacted,* That at least thirty per centum of the capital stock of such association shall be paid in at the time of the commencement of its banking business, and the remainder of the capital stock of such association shall be paid in instalments of at least ten per centum each on the whole amount to which the association shall be limited, as frequently as one instalment at the end of each succeeding two months from the time of the commencement of its banking operations, until the whole of the capital stock shall be paid in.

Capital stock, how paid in.

SEC. 8. *And be it further enacted,* That if any shareholder, or his assignee, shall fail to pay any instalment on the stock when the same is required by the foregoing section to be paid, the directors of such association may sell the stock held by such delinquent shareholder, at public auction, having given three weeks' previous notice thereof in a newspaper published and of general circulation in the city where the association is located, if the same be located in a city, and if not so located, then in a newspaper printed, or of general circulation, in the county where the same is located, to any person who will pay the highest price therefor, and not less than the amount then due thereon, with the expenses of advertisement and sale; and the excess, if any, shall be paid to the delinquent shareholder. If no bidder can be found who will pay for such stock the amount due thereon to the association, and the costs of advertisement and sale, the amount previously paid shall be forfeited to the association, and such stock may subsequently be sold as the directors may order.

Stock of delinquent shareholder may be sold.

Mode of sale.

SEC. 9. *And be it further enacted,* That whenever a certificate shall have been transmitted to the comptroller of the currency, as provided in this act, and the association transmitting the same shall notify the comptroller that at least thirty per centum of its capital stock has been paid as aforesaid, and that such association has complied with all the provisions of this act required to be complied with before such association shall be authorized to commence the business of banking, and that such association is desirous of commencing such business, the comptroller shall immediately proceed, in such manner as he shall by general rules prescribe, to examine the condition of such association; to ascertain especially the amount of money paid in on account of its capital stock; the name and place of residence of each of the directors of such association, and the amount of the capital stock of which each is the bona fide owner, and generally whether such association has complied with all the require-

Comptroller to examine and see if requisitions of this act are complied with.

ments of this act to entitle it to engage in the business of banking; and shall cause to be made, and attested by the oaths of a majority of the directors and by the president or cashier of such association, a statement of all the facts necessary to enable the comptroller to determine whether such association is lawfully entitled to commence the business of banking under this act.

If lawfully entitled to begin banking, comptroller to give certificate to that effect.

SEC. 10. *And be it further enacted,* That if, upon a careful examination of the facts so reported, and of any other facts which may come to the knowledge of the comptroller, whether by means of a special commission appointed by him for the purpose of inquiring into the condition of such association, or otherwise, it shall appear that such association is lawfully entitled to commence the business of banking, the comptroller shall give to such association a certificate under his hand and official seal, showing that such association has complied with all the provisions of this act required to be complied with before being entitled to commence the business of banking under it, and that such association is authorized to commence said business accordingly; and it shall be the duty of such association to cause said certificate to be published in some newspaper, published in the city or county where such association is located, for at least sixty days next after the issuing thereof: *Provided,* That if no newspaper is published in such city or county, such certificate shall be published as the comptroller of the currency shall direct.

Certificate to be published.

Association may have common seal, name, and continue not over twenty years.

Powers of association.

SEC. 11. *And be it further enacted,* That every association formed pursuant to the provisions of this act may make and use a common seal, and shall have succession by the name designated in its articles of association and for the period limited therein, not, however, exceeding twenty years from the passage of this act; by such name may make contracts, sue and be sued, complain and defend in any court of law or equity as fully as natural persons, and may make by-laws, approved by the comptroller of the currency, not inconsistent with the laws of the United States or the provisions of this act, for the election of directors, the management of its property, the regulation of its affairs, and for the transfer of its stock; and shall have power to carry on the business of banking by obtaining and issuing circulating notes in accordance with the provisions of this act; by discounting bills, notes, and other evidences of debt; by receiving deposits; by buying and selling gold and silver bullion, foreign coins, and bills of exchange; by loaning money on real and personal security, in the manner specified in their articles of association, for the purposes authorized by this act, and by exercising such incidental powers as shall be necessary to carry on such business; to choose one of their number as president of such association, and to appoint a cashier and such other officers and agents as their business may require; and to remove such president, cashier, officers, and agents at pleasure, and appoint others in their place; and their usual business shall be transacted in banking offices located at the places specified respectively in its certificate of association, and not elsewhere.

Business, where to be transacted.

Shares to be personal property

How transferable.

Shareholder personally liable to twice the amount of his shares.

Capital stock, how may be increased.

SEC. 12. *And be it further enacted,* That the shares of associations formed under this act shall be deemed personal property, and shall be transferable on the books of the association in such manner as may be prescribed in the by-laws or articles of association; and every person becoming a shareholder by such transfer shall, in proportion to his shares, succeed to all the rights and liabilities of the prior holder of such shares; and no change shall be made in the articles of association by which the rights, remedies, or security of the existing creditors of the association shall be impaired. For all debts, contracted by such association for circulation, deposits, or otherwise, each shareholder shall be liable to the amount, at their par value, of the shares held by him in addition to the amount invested in such shares.

SEC. 13. *And be it further enacted,* That it shall be lawful for any

association formed under this act, by its articles of association, to provide for an increase of its capital from time to time as may be deemed expedient, subject to the limitations of this act; but no such increase shall be valid until the increased capital shall be paid in, and notice thereof shall have been transmitted to the comptroller of the currency, and his certificate obtained, specifying the amount of such increase of capital stock, and that the same has been duly paid to such association.

SEC. 14. *And be it further enacted*, That it shall be lawful for any such association to purchase, hold, and convey real estate as follows: Real estate of such association.

First. Such as shall be necessary for its immediate accommodation in the transaction of its business.

Second. Such as shall be mortgaged to it in good faith by way of security for loans made by such association, or for moneys due thereto.

Third. Such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings.

Fourth. Such as it shall purchase at sales under judgments, decrees, or mortgages held by such association.

Such association shall not purchase or hold real estate in any other case or for any other purpose than as specified in this section.

SEC. 15. *And be it further enacted*, That every association, after having complied with the provisions of this act preliminary to the commencement of banking business under its provisions, shall transfer and deliver to the treasurer of the United States any United States bonds bearing interest to an amount not less than one third of the capital stock paid in; which bonds shall be deposited with the treasurer of the United States, and by him safely kept in his office until the same shall be otherwise disposed of, in pursuance of the provisions of this act. Associations, before commencing banking business, to transfer to treasurer United States bonds,

SEC. 16. *And be it further enacted*, That upon the making of any such transfer and delivery, the association making the same shall be entitled to receive from the comptroller of the currency circulating notes of different denominations, in blank, registered and countersigned as hereinafter provided, equal in amount to ninety per centum of the current market value of the United States bonds so transferred and delivered, but not exceeding the par value thereof, if bearing interest at the rate of six per centum, or of equivalent United States bonds bearing a less rate of interest; and at no time shall the total amount of such notes, issued to any such association, exceed the amount at such time actually paid in of its capital stock. and shall be entitled to receive ninety per cent. of their current value in circulating currency notes.

SEC. 17. *And be it further enacted*, That the entire amount of circulating notes to be issued under this act shall not exceed three hundred millions of dollars. One hundred and fifty millions of which sum shall be apportioned to associations in the States, in the District of Columbia, and in the Territories, according to representative population, and the remainder shall be apportioned by the Secretary of the Treasury among associations formed in the several States, in the District of Columbia, and in the Territories, having due regard to the existing banking capital, resources, and business, of such States, District, and Territories. Issue of circulating notes under this act, not to exceed \$300,000,000.

SEC. 18. *And be it further enacted*, That, in order to furnish suitable notes for circulation, the comptroller of the currency is hereby authorized and required, under the direction of the Secretary of the Treasury, to cause plates to be engraved in the best manner to guard against counterfeiting and fraudulent alterations, and to have printed therefrom, and numbered, such quantity of circulating notes, in blank, of the denominations of five dollars, ten dollars, twenty dollars, fifty dollars, one hundred dollars, five hundred dollars, and one thousand dollars, as may be required to supply, under this act, the associations entitled to receive the same; which notes shall express upon their face that they are secured by United States bonds, deposited with the treasurer of the United States, and issued under the provisions of this act, which statement shall be attested How to be apportioned.

Notes to express what. Circulating notes, how to be prepared.

by the written or engraved signatures of the treasurer and register, and by the imprint of the seal of the treasury; and shall also express upon their face the promise of the association receiving the same, to pay on demand, attested by the signatures of the president, or vice-president, and cashier; and the said notes shall bear such devices and such other statements, and shall be in such form, as the Secretary of the Treasury shall, by regulation, direct.

Plates and dies to be under control of comptroller.

SEC. 19. *And be it further enacted,* That the plates and special dies to be procured by the comptroller of the currency for the printing of such circulating notes shall remain under his control and direction, and the expenses necessarily incurred in executing the provisions of this act respecting the procuring of such notes, shall be audited and paid as contingent expenses of the Treasury Department; and for the purpose of reimbursing the same, and all other expenses incurred under this act, and in lieu of all taxes upon the circulation authorized by this act, or upon the bonds deposited for the security of the same, such association organized under this act shall semi-annually, on the first days of January and July, after its organization, pay to the comptroller of the currency, in lawful money of the United States, one per centum on the amount of circulating notes received by such association, and in default thereof, the treasurer of the United States is hereby authorized to reserve and retain one per centum on the amount of said bonds so deposited, at each semi-annual payment of interest thereon; and all sums so reserved and retained shall be paid into the treasury under the direction of the Secretary, and every bank, banking association, or corporation, not organized under the provisions of this act, issuing notes calculated or intended to circulate as money, shall, on the first day of July next, and regularly on the first days of January and July thereafter, make and deliver to the comptroller of the currency a true and accurate return of the gross amount of notes issued by it, whether in circulation, or in its vaults, or on deposit elsewhere, and in default of any such return, the bank, banking association, or corporation so failing to make return, shall pay to the United States a penalty of two per centum upon its entire capital stock, to be recovered, for the use of the United States, in any court of competent jurisdiction.

Expense of procuring notes.

Each association to pay annually one per cent. of its circulation.

Provision in case of default.

Banks, &c., not organized under this act, to make returns semi-annually.

Penalty for default, and how recovered.

When association may issue the currency circulation as money;

to be received at par for all except duties, and to be paid for all except interest on public debt.

Other issues prohibited.

Bonds transferred as security for circulation, to have the fact stated thereon.

How transferred.

SEC. 20. *And be it further enacted,* That after any such association shall have caused its promise to pay such notes on demand to be signed by the president or vice-president and cashier thereof, in such manner as to make them obligatory promissory notes, payable on demand, at its place of business, such association is hereby authorized to issue and circulate the same as money; and the same shall be received at par in all parts of the United States in payment of taxes, excises, public lands, and all other dues to the United States, except for duties on imports, and also for all salaries and other debts and demands owing by the United States to individuals, corporations, and associations within the United States, except interest on public debt; and no such association shall issue post notes, or any other notes to circulate as money, than such as are authorized by the foregoing provisions of this act.

SEC. 21. *And be it further enacted,* That all transfers of United States bonds which shall be made by any association as security for circulating notes under the provisions of this act, shall be made to the treasurer of the United States, with a memorandum written or printed on the certificate of such bonds, and signed by the cashier, or some other officer of the association making the deposit, stating that it is held in trust for the association on whose behalf such transfer is made, and as security for the redemption and payment of the circulating notes delivered to such association; and no transfer of any such bonds by the treasurer shall be deemed valid, or of binding force and effect, unless sanctioned by the order or request of the comptroller of the currency upon the treasurer

It shall be the duty of the comptroller of the currency to keep in his office a book in which shall be entered the name of every association from whose account such transfer of bonds is made by the treasurer, and the name of the party to whom such transfer is made, unless such transfer is made in blank, in which case the fact shall be stated in said book, and in either case the par value of the bonds so transferred shall be entered therein; and it shall be the duty of the comptroller, immediately upon countersigning and entering the same, to advise by mail the association from whose account such transfer was made, the kind of bonds and the amount thereof so transferred.

Record of transfers to contain what.

Duty of comptroller.

SEC. 22. *And be it further enacted,* That it shall be the duty of the comptroller of the currency to countersign and enter in the book, in the manner aforesaid, every transfer or assignment of any bonds held by the treasurer presented for his signature; and the comptroller shall have at all times during office hours access to the books of the treasurer, for the purpose of ascertaining the correctness of the transfer or assignment presented to him to countersign; and the treasurer shall have the like access to the book above mentioned, kept by the comptroller, during office hours to ascertain the correctness of the entries in the same.

Duty of comptroller.

Comptroller and treasurer may examine each others books.

SEC. 23. *And be it further enacted,* That it shall be the duty of either the president or cashier of every banking association having stocks deposited in the office of the treasurer of the United States, once or more in each fiscal year, and at such time or times during the ordinary business hours as said officer or officers may select, to examine and compare the bonds so pledged with the books of said Department, and, if found correct, to execute to the said treasurer a certificate setting forth the different kinds and the amounts thereof, and that the same are in the possession and custody of the treasurer at the date of such certificate. Such examination may be made by an agent of such association, duly appointed in writing for that purpose, whose certificate before mentioned shall be of like force and validity as if executed by such president or cashier.

Some officer of each banking association to examine yearly its bonds and compare same with the books of the department.

SEC. 24. *And be it further enacted,* That every association issuing circulating notes under the provisions of this act, shall make a quarterly report to the comptroller of the currency commencing on the first day of the quarter of the year next succeeding the organization of such association, and continuing on the first days of each succeeding quarter in every year thereafter, which report shall be verified by the oath or affirmation of the president and cashier, and all wilful false swearing in respect to such report shall be perjury, and subject to the punishment prescribed by law for such offence. The report hereby required shall be in the form prescribed by the comptroller, and shall contain a true statement of the condition of the association making such report, before the transaction of any business on the morning of the day specified, next preceding the date of such report, in respect of the following items and particulars, to wit: Loans and discounts, overdrafts due from banks, amount due from the directors of the association, real estate, specie, cash items, stocks, bonds, and promissory notes, bills of solvent banks, bills of suspended banks, loss and expense account, capital, circulation, profits, amount due to banks, amount due to individuals and corporations other than banks, amount due the treasurer of the United States, amount due to depositors on demand, amount due, not included under either of the above heads. And it shall be the duty of the comptroller to publish full abstracts of such reports together in two newspapers to be designated by him for that purpose, one in the city of Washington and the other in the city of New York, exhibiting the items of capital, circulation, and deposits, specie and cash items, public securities and private securities; and the separate report of each association shall be published in a newspaper published in the place where such association is established, or, if there

Associations to report quarterly to comptroller under oath.

Contents of report.

Abstracts of reports to be published.

Separate reports of each association to be published in local newspaper.

Associations in larger cities to publish reports monthly.

Upon failure to redeem its circulation, holder may protest the same, unless, &c.

Association not afterwards to continue banking business.

Proviso.

Upon notice of such failure to redeem, comptroller to ascertain the fact.

If satisfied of such failure, he shall declare the bonds pledged to be forfeited, and notify holders of notes to present them for payment.

be no newspaper at such place, then in a newspaper published at the capital of the State, at the expense of the association making such report. In addition to the quarterly reports required by this section, every association located and doing business in the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, and New Orleans, shall publish, or cause to be published, on the morning of the first Tuesday in each month, in a newspaper printed in the city in which the association making such report is located, to be designated by the comptroller of the currency, a statement, under the oath of the president or cashier, showing the condition of the association making such statement, on the morning of the day next preceding the date of such statement, in respect to the following items and particulars, to wit: average amount of loans and discounts, specie, deposits, and circulation.

SEC. 25. *And be it further enacted*, That if any such association shall, at any time fail to redeem, in the lawful money of the United States, any of its circulating notes, when payment thereof shall be lawfully demanded, during the usual hours of business, at the office of such association, the holder may cause the same to be protested, in one package, by a notary public, unless the president or cashier of the association shall offer to waive demand and notice of the protest, and shall, in pursuance of such offer, make, sign, and deliver to the party making such demand an admission in writing, stating the time of the demand, the amount demanded, and the fact of the non-payment thereof; and such notary public, on making such protest, or upon receiving such admission, shall forthwith forward such admission or notice of protest to the comptroller of the currency; and after such default it shall not be lawful for the association suffering the same to pay out any of its notes, discount any notes or bills, or otherwise prosecute the business of banking, except to receive and safely keep money belonging to it, and to deliver special deposits: *Provided, however*, That if satisfactory proof be produced to such notary public that the payment of any such notes is restrained by order of any court of competent jurisdiction, such notary public shall not protest the same; and when the holder of such notes shall cause more than one note or package to be protested on the same day, he shall not receive pay for more than one protest.

SEC. 26. *And be it further enacted*, That on receiving notice that any such association has failed to redeem any of its circulating notes, as specified in the next preceding section, the comptroller of the currency, with the concurrence of the Secretary of the Treasury, may appoint a special agent, (of whose appointment immediate notice shall be given to such association,) who shall immediately proceed to ascertain whether such association has refused to pay its circulating notes, in the lawful money of the United States, when demanded as aforesaid, and report to the comptroller the facts so ascertained; and if, from such protest or the reports so made, the comptroller shall be satisfied that such association has refused to pay its circulating notes as aforesaid, and is in default, he shall, within thirty days after he shall have received notice of such failure, declare the United States bonds and securities pledged by such association forfeited to the United States, and the same shall thereupon be forfeited accordingly; and thereupon the comptroller shall immediately give notice, in such manner as the Secretary of the Treasury shall, by general rules or otherwise, direct, to the holders of the circulating notes of such association to present them for payment at the treasury of the United States; and the same shall be paid as presented, whereupon said comptroller may, in his discretion, cancel an equal amount of the bonds pledged by such association, equal at current market rates, not exceeding par, to the notes paid; and it shall be lawful for the Secretary of the Treasury, from time to time, to make such regulations respecting the disposition to be made of such circulating notes after presentation thereof for payment as aforesaid, and re-

specting the perpetuation of the evidence of the payment thereof, as may seem to him proper ; but all such notes, on being paid, shall be cancelled ; and for any deficiency in the proceeds of the bonds pledged by such association, when disposed of as hereinafter specified, to reimburse to the United States the amount so expended in paying the circulating notes of such association, the United States shall have a first and paramount lien upon all the assets of such association, and such deficiency shall be made good out of such assets in preference to any and all other claims whatsoever, except the necessary costs and expenses of administering the same.

Proceedings.

SEC. 27. *And be it further enacted,* That whenever the comptroller shall become satisfied, as in the last preceding section specified, that any such association has refused to pay its circulating notes as therein mentioned, he may, instead of cancelling the United States bonds pledged by such association, as provided in the next preceding section, cause so much of them as may be necessary to redeem the outstanding circulating notes of such association to be sold at public auction in the city of New York, after giving thirty days' notice of such sale to such association.

Instead of cancelling the bonds comptroller may sell them at public auction,

SEC. 28. *And be it further enacted,* That the comptroller of the currency may, if he shall be of opinion that the interests of the United States will be best promoted thereby, sell at private sale any of the stock so transferred to him by such association, and receive therefor either money or the circulating notes of such failing association : *Provided,* That no such bonds shall be sold by private sale for less than the par, nor less than the market value thereof at the time of sale. *And provided further,* That no sales of any such stock, either public or private, shall be complete until the transfer thereof shall have been made with the formalities prescribed in this act.

or private sale,

but not for less than par.

Sale, when complete.

SEC. 29: *And be it further enacted,* That on becoming satisfied, as specified in this act, that any such association has refused to pay its circulating notes as therein mentioned, and is in default, the comptroller of the currency may forthwith appoint a receiver, and require of him such bond and security as he shall deem proper, who, under the direction of the comptroller, shall take possession of the books, records, and assets of every description of such association, collect all debts, dues, and claims belonging to such association, and, upon the order of a court of record of competent jurisdiction, may sell or compound all bad or doubtful debts, and, on a like order, sell all the real and personal property of such association, on such terms as the court shall direct ; and such receiver shall pay over all moneys so made to the treasurer of the United States, and also make report to the comptroller of the currency of all his acts and proceedings. The comptroller shall thereupon cause notice to be given, by advertisement in such newspapers as he may direct, for three consecutive months, calling on all persons who may have claims against such association to present the same, and to make legal proof thereof ; and from time to time the comptroller, after full provision shall have been first made for refunding to the United States any such deficiency in redeeming the notes of such association as is mentioned in this act, shall make a ratable dividend of the moneys so paid over to him by such receiver on all such claims as may have been so proved or adjudicated in a court of competent jurisdiction, and from time to time, as the proceeds of the assets of such association shall be paid over to him, he shall make further dividends, as aforesaid, on all claims previously proved or adjudicated ; and the remainder of such proceeds, if any, shall be paid over to the shareholders of such association, or their legal representatives, in proportion to the stock by them respectively held : *Provided, however,* That if any such association, against which proceedings have been so instituted on account of any alleged refusal to redeem its circulating notes as aforesaid, shall deny having failed to do so, such association may at any time within ten days after

Comptroller may appoint a receiver.

Proceedings in such case.

Association denying failure may apply to court for injunction, and have the issue tried.

such association shall have been notified of the appointment of an agent, as provided in this act, apply to the nearest circuit, or district, or territorial court of the United States, to enjoin further proceeding in the premises; and such court, after citing the comptroller of the currency to show cause why further proceedings should not be enjoined, and after the decision of the court or finding of a jury that such association has not refused to redeem its circulating notes, when legally presented, in the lawful money of the United States, shall make an order enjoining the comptroller, and any receiver acting under his direction, from all further proceedings on account of such alleged refusal.

Bonds transferred as security, shall be held exclusively for that purpose, until, &c.

Interest. May be surrendered on cancelling circulation.

Proviso.

SEC. 30. *And be it further enacted,* That the bonds transferred to the treasurer of the United States, as hereinbefore provided, by any banking association for the security of its circulating notes, shall be held exclusively for that purpose, until such notes shall be redeemed, except as provided in this act; but the comptroller of the currency may give to any such banking association powers of attorney to receive and appropriate to its own use the interest on the bonds which shall have been so transferred to the treasurer by it; but such powers shall become inoperative whenever such banking association shall fail to redeem its circulating notes as aforesaid; and said comptroller may direct the return of any of said bonds to the banking association which transferred the same, upon the surrender to him and the cancellation of a proportionate amount of such circulating notes: *Provided,* That ninety per centum of the current market value of the remaining bonds which shall have been transferred by the banking association offering to surrender such circulating notes shall be equal to the amount of all the circulating notes retained by such banking association: *And provided, further,* That there shall have been no failure by such association to redeem its circulating notes, and that there shall have been no other violation by such association of any of the provisions of this act for the security of the creditors of such association; nor shall the treasurer be required to surrender such bonds in fractional sums of less than one thousand dollars; and if, at any time after said bonds shall be deposited with the treasurer of the United States, as aforesaid, the market or cash value shall be reduced, the comptroller of the currency is hereby authorized to demand and receive the amount of such depreciation in other United States bonds at cash value, or in money, from the association receiving said bills, to be deposited with the treasurer of the United States, as long as such depreciation continues.

If market value of bonds depreciates, and difference is not made good, comptroller to retain interest,

and invest the same quarterly in bonds.

When former market value is regained.

SEC. 31. *And be it further enacted,* That whenever the price of any of the bonds pledged as aforesaid for the redemption of the circulating notes of any such banking association shall be, at the stock exchange in the city of New York, for four consecutive weeks, at a rate less than that at which they shall have been estimated when so pledged, and such depreciation shall not have been made good by a deposit of other bonds or money, it shall be the duty of the comptroller of the currency to notify the treasurer of the United States of such fact, and the payment of interest upon such depreciated bonds shall be suspended, and such interest shall be retained by said treasurer until the same, when added to the current market value of the bonds so pledged, to be ascertained as before provided, shall be equal to the amount for which such bonds were pledged: *Provided,* That it shall be the duty of the comptroller of the currency, at the expiration of every period of three months, to cause the whole of the sums so retained, and then remaining in the treasury of the United States, to be invested in United States bonds, in the name of the comptroller of the currency, in trust for the respective associations by which the bonds on which such interest shall have accrued shall have been pledged; and whenever the price of such depreciated bonds at the stock exchange in New York shall rise to the price at which they were pledged, and so remain for four consecutive weeks, such investment shall be as-

signed to such association, and all accruing interest on such pledged bonds shall thereafter be paid to such association on demand thereof.

SEC. 32. *And be it further enacted,* That it shall be the duty of the comptroller of the currency to receive worn-out or mutilated circulating notes issued by any such banking association, and to deliver in place thereof to such association other blank circulating notes to an equal amount; and such worn-out or mutilated notes, after a memorandum shall have been entered in the proper books, in accordance with such regulations as may be established by the comptroller, as well as all circulating notes which shall have been paid or surrendered to be cancelled, shall be burned in presence of three persons, one to be appointed by the Secretary of the Treasury, one by the comptroller of the currency, and one by the treasurer of the United States, under such regulations as the Secretary of the Treasury may prescribe; and in case such notes shall have been delivered to the comptroller by an officer or agent of such association, then in the presence, also, of such officer or agent; and a certificate of such burning, signed by the parties so appointed, shall be made in the books of the comptroller, and a duplicate thereof given to such officer or agent.

Worn-out or mutilated notes may be exchanged for new.

Proceedings.

SEC. 33. *And be it further enacted,* That it shall be unlawful for any officer acting under the provisions of this act to countersign or deliver to any such association, or to any other company or person, any circulating notes contemplated by this act, except as hereinbefore provided, and in accordance with the true intent and meaning of this act; and any officer who shall violate the provisions of this section shall be deemed guilty of a high misdemeanor, and on conviction thereof shall be punished by fine not exceeding double the amount so countersigned and delivered, and imprisonment not exceeding fifteen years, at the discretion of the court in which he shall be tried.

Notes not to be delivered except as provided in this act.

Penalty.

SEC. 34. *And be it further enacted,* That all fees for protesting the notes issued by any such banking association shall be paid by the person procuring the protest to be made, and such banking association shall be liable therefor; but no part of the stock pledged by such banking association, as aforesaid, shall be applied to the payment of such fees; and all expenses of any preliminary or other examinations into the condition of any association shall be paid by such association; and all expenses of any receivership shall be paid out of the assets of such association before distribution of the proceeds thereof.

Costs of protest.

Expenses of preliminary examination,

of receivership.

SEC. 35. *And be it further enacted,* That the stockholders, collectively, of any such association shall at no time be liable to such association, either as principal debtors or sureties, or both, to an amount greater than three fifths of the capital stock actually paid in and remaining undiminished by losses or otherwise; nor shall the directors be so liable, except to such amount and in such manner as shall be prescribed by the by-laws of such association, adopted by its stockholders to regulate such liabilities.

Indebtedness of stockholders to association limited,

of directors.

SEC. 36. *And be it further enacted,* That the capital stock of any association formed under this act shall be divided into shares of one hundred dollars each, and shall be assignable on the books of the association in such manner as its by-laws shall prescribe; but no shareholder in any association under this act shall have power to sell or transfer any share held in his own right so long as he shall be liable, either as principal, debtor, surety, or otherwise, to the association for any debt which shall have become due and remain unpaid, nor in any case shall such shareholder be entitled to receive any dividend, interest, or profit on such shares so long as such liabilities shall continue, but all such dividends, interests, and profits shall be retained by the association, and applied to the discharge of such liabilities; and no stock shall be transferred without the consent of a majority of the directors while the holder thereof is thus indebted to the association.

Capital stock of association, how divided.

Shares, how assignable.

Limit upon sale and transfer.

Associations
not to take their
stock as security
for loans, &c.,

nor own it, or
stock of other as-
sociation, unless,
&c.

Shareholders
entitled to one
vote for each
share.

Proxies.

Directors.

Number.

Residence.

Interest.

Oath.

Term of office.

Election.

Vacancy.

SEC. 37. *And be it further enacted*, That no banking association shall take, as security for any loan or discount, a lien upon any part of its capital stock; but the same security, both in kind and amount, shall be required of shareholders as of other persons; and no such banking association shall be the purchaser or holder of any portion of its capital stock, or of the capital stock of any other incorporated company, unless such purchase shall be necessary to prevent loss upon a debt previously contracted in good faith, on security which, at the time, was deemed adequate to insure the payment of such debt, independent of any lien upon such stock; or in case of forfeiture of stock for the non-payment of instalments due thereon, and stock so purchased or acquired, shall in no case be held by such association so purchasing for a longer period of time than six months, if the same can, within that time, be sold for what the stock cost.

SEC. 38. *And be it further enacted*, That in all elections of directors, and in deciding all questions at meetings of shareholders, each shareholder shall be entitled to one vote on each share of stock held by him; shareholders may vote by proxies duly authorized in writing; but no officer, clerk, teller, or book-keeper of such association shall act as proxy; and no stockholder whose liability is past due and unpaid shall be allowed to vote.

SEC. 39. *And be it further enacted*, That the affairs of every such association shall be managed by not less than five nor more than nine directors, one of whom shall be president of the association; every director shall, during his whole term of service, be a citizen of the United States and a resident of the state in which such association is located. At least three fourths of the directors shall have resided in the state in which such association is located one year next preceding their election as directors; and each director shall own in his own right, at least one per centum of the capital stock of such association not exceeding two hundred thousand dollars, and the half of one per centum of its capital if over two hundred thousand dollars. Each director shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such association, and will not knowingly violate, or willingly permit to be violated, any of the provisions of this act, and that he is the bonâ fide owner, in his own right, of the shares of stock standing in his name on the books of the association, and that the same is not hypothecated, or in any way pledged, as security for any loan obtained or debt owing to the association of which he is a director, which oath, subscribed by himself, and certified by the officer before whom it is taken, shall be immediately transmitted to the comptroller of the currency, and by him filed and preserved in his office.

SEC. 40. *And be it further enacted*, That the directors of any such association first elected shall hold their places until their successors shall be elected and qualified. All subsequent elections shall be held annually, on such day in the month of January as the stockholders of said association may prescribe; and the directors so elected shall hold their places for one year, and until their successors are elected and qualified. But any director removing from the state, or ceasing to be the owner of the requisite amount of stock, shall thereby vacate his place. Any vacancy in the board shall be filled by appointment by the remaining directors. The director so appointed shall hold his place until the next annual election; and if, from any cause, an election of directors shall not be made at the time appointed, the association shall not for that cause be dissolved, but an election may be held on any subsequent day, thirty days' notice thereof having been given in a newspaper printed, or of general circulation, in the city, town, or county in which the association is located, and if no newspaper is published in such city, town, or county, such notice shall be published in a newspaper in the county adjoining.

SEC. 41. *And be it further enacted*, That every such association shall at all times have on hand, in lawful money of the United States, an amount equal to at least twenty-five per centum of the aggregate amount of its outstanding notes of circulation and its deposits; and whenever the amount of its outstanding notes of circulation and its deposits shall exceed the above-named proportion for the space of twelve days, or whenever such lawful money of the United States shall at any time fall below the amount of twenty-five per centum of its circulation and deposits, such association shall not increase its liabilities by making any new loans or discounts otherwise than by discounting or purchasing bills of exchange, payable at sight, nor make any dividend of its profits, until the required proportion between the aggregate amount of its outstanding notes of circulation and its deposits and lawful money of the United States shall be restored: *Provided, however*, That clearing-house certificates, representing specie or lawful money specially deposited for the purpose of any clearing-house association, shall be deemed to be lawful money in the possession of any association belonging to such clearing-house holding and owning such certificates, and considered to be a part of the lawful money which such association is required to have, under the foregoing provisions of this section: *Provided, further*, That any balance due to any association organized under this act in other places from any association in the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, or New Orleans, in good credit, subject to be drawn for at sight, and available to redeem their circulating notes and deposits, may be deemed to be a part of the lawful money which such association in other places than the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, and New Orleans, are required to have by the foregoing provisions of this section, to the extent of three fifths of the said amount of twenty-five per centum required. And it shall be competent for the comptroller of the currency to notify any such association whose lawful money reserve, as aforesaid, shall fall below said proportion of twenty-five per centum, to make good such reserve; and if such association shall fail for thirty days thereafter so to make good its reserve of lawful money of the United States, the comptroller may, with the concurrence of the Secretary of the Treasury, appoint a receiver to wind up the business of such association, as provided in this act.

Associations to have what amount of money on hand.

When not to make new loans, &c.

What may be deemed lawful money.

SEC. 42. *And be it further enacted*, That no association shall at any time be indebted, or in any way liable, to an amount exceeding the amount of its capital stock at such time actually paid in, and remaining undiminished by losses or otherwise, except on the following accounts, that is to say:

Indebtedness of associations limited, except, &c.

First. On account of its notes of circulation.

Second. On account of moneys deposited with, or collected by, such association.

Third. On account of bills of exchange or drafts drawn against money actually on deposit to the credit of such association, or due thereto.

Fourth. On account of liabilities to its stockholders, for money paid in on capital stock, and dividends thereon, and reserved profits.

SEC. 43. *And be it further enacted*, That no association shall, either directly or indirectly, pledge or hypothecate any of its notes of circulation, for the purpose of procuring money to be paid in on its capital stock, or to be used in its banking operations, or otherwise.

Associations not to pledge their circulation.

SEC. 44. *And be it further enacted*, That no association, or any member thereof, shall, during the time it shall continue its banking operations, withdraw, or permit to be withdrawn, either in form of dividends, loans to stockholders for a longer time than six months or in any other manner, any portion of its capital; and if losses shall at any time have been sustained by any such association equal to or exceeding its undivided profits then on hand, no dividend shall be made; and no dividend shall ever be

Capital not to be diminished by dividends, &c.

made by any association, while it shall continue its banking operations, to an amount greater than its nett profits then on hand, deducting therefrom its losses and bad debts; and all debts due to any association, on which interest is past due and unpaid for a period of six months, unless the same shall be well secured, and shall be in process of collection, shall be considered bad debts within the meaning of this act.

Dividends in May and November.

On each dividend day cashier to make statement to comptroller as to

Capital.

Circulation.

Due other banks.

Depositors.

Liabilities.

Dividend.

Subject to draft.

Bills on hand.

Due from other banks.

Assets.

Real and personal estate.

Undivided profits.

Debts of directors.

Rate of interest on loans and discounts.

SEC. 45. *And be it further enacted*, That the directors of every association shall semi-annually in the months of May and November, declare a dividend of so much of the profits of such association as they shall judge expedient; and on each dividend day, the cashier shall make, and verify by his oath, a full, clear, and accurate statement of the condition of the association, as it shall be on that day after declaring the dividend; which statement shall contain —

First. The amount of the capital stock actually paid in and then remaining, as the capital stock of such association.

Secondly. The amount of the circulating notes of such association then in circulation.

Thirdly. The greatest amount in circulation at any time since the making of the last previous statement, as shall have been exhibited by the weekly statements of the cashier, specifying the times when the same occurred.

Fourthly. The amount of balances and debts of every kind due to other banks and banking associations.

Fifthly. The amount due to depositors.

Sixthly. The total amount of debts and liabilities of every description, and the greatest amount since the making of the last previous statement, specifying the time when the same accrued.

Seventhly. The total amount of dividend declared on the day of making the statement.

Eighthly. The amount of lawful money of the United States belonging to the association, and in its possession at the time of making the statement.

Ninthly. The amount subject to be drawn at sight, in lawful money of the United States, then remaining on deposit with any associations, banks or bankers; specifying the amounts so on deposit in the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, and New Orleans.

Tenthly. The amount then on hand of bills or notes, issued by other banks and banking associations.

Eleventhly. The amount of balances due from other banks, bankers, and banking associations, excluding deposits subject to be drawn at sight as aforesaid.

Twelfthly. The amount on hand of bills, bonds, stocks, notes, and other evidences of debts, discounted or purchased by the association, specifying particularly the amount of suspended debt, the amount considered bad, the amount considered doubtful, and the amount in suit or judgment.

Thirteenthly. The value of the real and personal property held for the convenience of the association, specifying the amount of each.

Fourteenthly. The amount of real estate taken in payment of debts due to the association.

Fifteenthly. The amount of the undivided profits of the association.

Sixteenthly. The total amount of the liability to the association by the directors thereof collectively, specifying the gross amount of such liabilities as principal debtors, and the gross amount of indorsers or sureties.

The statement thus made shall forthwith be transmitted to the comptroller of the currency.

SEC. 46. *And be it further enacted*, That every association may take, reserve, receive, and charge on any loan, or discount made, or upon any note, bill of exchange, or other evidence of debt, such rate of interest or discount as is for the time the established rate of interest for delay in the

payment of money, in the absence of contract between the parties, by the laws of the several States in which the associations are respectively located, and no more: *Provided, however,* That interest may be reserved or taken, in advance, at the time of making the loan or discount, according to the usual rules of banking; and the knowingly taking, reserving, or charging of a rate of interest greater than that allowed by this section shall be held and adjudged a forfeiture of the debt or demand on which the same is taken, reserved, or charged; but the purchase, discount, or sale of a bill of exchange, drawn on actually existing values, and payable at another place than the place of such purchase, discount, or sale, at the current discount or premium, shall not be considered as taking, reserving, or charging interest.

Usury to
forfeit the debt.

SEC. 47. *And be it further enacted,* That the total liabilities of any person, or of any company or firm, (including in the liabilities of a company or firm the liabilities of the several members thereof,) to any association, including liabilities as acceptor of bonâ fide bills of exchange, payable out of the state where the association is located, shall at no time exceed one third; exclusive of liabilities as acceptor, one fifth; and exclusive of liabilities on such bills of exchange, one tenth part of the amount of the capital stock of such association actually paid in.

Limit of liability of any individual to association.

SEC. 48. *And be it further enacted,* That no association shall, at any time, pay out on loans or discounts, or in purchasing drafts or bills of exchange, or in payment of deposits, nor shall it in any other mode put in circulation the notes of any bank or banking association, which notes shall not, at any such time, be receivable, at par, on deposit, and in payment of debts by the association so paying out or circulating such notes; nor shall it knowingly pay out or put in circulation any notes issued by any bank or banking association which at the time of such paying out or putting in circulation is not redeeming its circulating notes in lawful money of the United States.

What notes associations shall not pay out.

SEC. 49. *And be it further enacted,* That all transfer of the notes, bonds, bills of exchange, and other evidences of debt owing to any association, or of deposits to its credit; all assignments of mortgages, surties on real estate, or of judgments or decrees in its favor; all deposits of money, bullion, or other valuable thing for its use, or for the use of any of its shareholders or creditors; and all payments of money to either, made after the commission of an act of insolvency, or in contemplation thereof, with a view to prevent the application of its assets in the manner prescribed by this act, or with a view to the preference of one creditor to another, except in payment of its circulating notes, shall be utterly null and void.

All transfers, &c., after any act of insolvency, or in contemplation thereof, with intent, &c., to be void.

SEC. 50. *And be it further enacted,* That if the directors of any association shall knowingly violate, or knowingly permit any of the officers, agents, or servants of the association to violate any of the provisions of this act, all the rights, privileges, and franchises of the association derived from this act shall be thereby forfeited; such violation shall, however, be determined and adjudged by a proper circuit, district, or territorial court of the United States, before the association shall be declared dissolved; and in cases of such violation, every director who participated in or assented to the same shall be held liable in his personal and individual capacity for all damages which the association, its shareholders, or any other person, shall have sustained in consequence of such violation.

If directors knowingly violate, &c., any provisions of this act, the franchise to be forfeited, and they held individually.

SEC. 51. *And be it further enacted,* That the comptroller of the currency, with the approbation of the Secretary of the Treasury, as often as shall be deemed necessary or proper, shall appoint a suitable person or persons to make an examination of the affairs of every banking association, which person shall not be a director or other officer in any association whose affairs he shall be appointed to examine, and who shall have power to make a thorough examination into all the affairs of the association, and, in doing so, to examine any of the officers and agents thereof

Comptroller to cause examinations of each association to be made.

on oath, and shall make a full and detailed report of the condition of the association to the comptroller; and the association shall not be subject to any other visitatorial powers than such as are authorized by this act, except such as are vested in the several courts of law and chancery. And every person appointed to make such examination shall receive for his services at the rate of five dollars for each day by him employed in such examination, and two dollars for every twenty-five miles he shall necessarily travel in the performance of his duty, which shall be paid by the association by him examined.

Pay of examiners.

Embezzlement, &c., of funds by officers or directors, how punished.

SEC. 52. *And be it further enacted*, That every president, director, cashier, teller, clerk, or agent of any association, who shall embezzle, abstract, or wilfully misapply any of the moneys, funds, or credits of the association, or shall, without authority from the directors, issue or put in circulation any of the notes of the association, or shall, without such authority, issue or put forth any certificate of deposit, draw any order or bill of exchange, make any acceptance, assign any note, bond, draft, bill of exchange, mortgage, judgment, or decree, or shall make any false entry in any book, report, or statement of the association, with intent, in either case, to injure or defraud any other company, body politic, or corporate, or any individual person, or to deceive any officer or agent appointed to examine the affairs of any such association, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment not less than five nor more than ten years.

List of shareholders to be kept.

SEC. 53. *And be it further enacted*, That the president and cashier of every such association shall cause to be kept at all times a full and correct list of the names and residences of all the shareholders in the association in the office where its business is transacted; and such list shall be subject to the inspection of all the shareholders and creditors of the association during business hours of each day in which business may be legally transacted; and a copy of such list, verified by the oath of such president or cashier, shall, at the beginning of every year, be transmitted to the comptroller of the currency, commencing on the first day of the first quarter after the organization of the association.

Any association may be made a depository of public moneys, except, &c.

SEC. 54. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized, whenever, in his judgment, the public interests will be promoted thereby, to employ any of such associations doing business under this act as depositories of the public moneys, except receipts from customs.

Suits in behalf of the United States to be conducted by district attorneys.

SEC. 55. *And be it further enacted*, That all suits and proceedings arising out of the provisions of this act, in which the United States or its officers or agents shall be parties, shall be conducted by the district attorneys of the several districts, under the direction and supervision of the solicitor of the treasury.

Mutilation, &c., of such bank bills with intent, &c., how punished.

SEC. 56. *And be it further enacted*, That every person who shall mutilate, cut, deface, disfigure, or perforate with holes, or shall unite or cement together, or do any other thing to any bank bill, draft, note, or other evidence of debt issued by any such association, or shall cause or procure the same to be done, with intent to render such bank bill, draft, note, or other evidence of debt, unfit to be reissued by said association, shall upon conviction forfeit fifty dollars to the association who shall be injured thereby, to be recovered by action in any court having jurisdiction.

Forging, &c., circulating notes, how punished.

SEC. 57. *And be it further enacted*, That if any person shall falsely make, forge, or counterfeit, or cause or procure to be made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any note in imitation of, or purporting to be in imitation of, the circulating notes issued under the provisions of this act, or shall pass, utter, or publish, or attempt to pass, utter, or publish any false, forged, or counterfeited note, purporting to be issued by any association doing a banking business under the provisions of this act, knowing the same to be

falsely made, forged, or counterfeited, or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering, any such circulating notes, issued as aforesaid, or shall pass, utter or publish, or attempt to pass, utter or publish as true, any falsely altered or spurious circulating note, issued or purporting to have been issued as aforesaid, knowing the same to be falsely altered or spurious, every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept at hard labor for a period not less than five years nor more than fifteen years, and to be fined in a sum not exceeding one thousand dollars.

Uttering forged notes, how punished.

SEC. 58. *And be it further enacted,* That if any person shall make or engrave, or cause or procure to be made or engraved, or shall have in his custody or possession any engraved plate or block after the similitude of any plate from which any circulating notes issued as aforesaid shall have been printed, with intent to use such plate or block, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any blank note or notes engraved and printed after the similitude of any notes issued as aforesaid, with intent to use such blanks, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any paper adapted to the making of such notes, and similar to the paper upon which any such notes shall have been issued, with intent to use such paper, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, every such person, being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labor for a term not less than five nor more than fifteen years, and fined in a sum not exceeding one thousand dollars.

Engraving, &c., or having custody of plates, paper, &c., with intent, &c., how punished.

SEC. 59. *And be it further enacted,* That suits, actions, and proceedings by and against any association under this act may be had in any circuit, district, or territorial court of the United States held within the district in which such association may be established.

Suits, &c., against associations may be brought in any federal court in the proper district.

SEC. 60. *And be it further enacted,* That it shall be the duty of the comptroller of the currency to report annually to Congress, at the commencement of its session —

Annual report of comptroller.

First. A summary of the state and condition of every association from whom reports have been received the preceding year, at the several dates to which such reports refer, with an abstract of the whole amount of banking capital returned by them, of the whole amount of their debts and liabilities, the amount of circulating notes outstanding, and the total amount of means and resources, specifying the amount of specie held by them at the times of their several returns, and such other information in relation to said associations as, in his judgment, may be useful.

Summary of associations.

Second. A statement of the associations whose business has been closed during the year, with the amount of their circulation redeemed, and the amount outstanding.

List of associations closed.

Third. To suggest any amendment to the laws relative to banking by which the system may be improved, and the security of the bill-holders and depositors may be increased.

Suggestion of amendments.

Fourth. To report the names and compensation of the clerks employed by him, and the whole amount of the expenses of the banking department during the year; and such report shall be made by or before the first day of December in each year, and the usual number of copies for the use of the Senate and House, and one thousand copies for the use of the Department, shall be printed by the public printer and in readiness for distribution on the first meeting of congress.

Names, &c., of clerks, and expenses of department.

When report to be made and printed.

SEC. 61. *And be it further enacted,* That any banking association or corporation lawfully in existence as a bank of circulation on the first day of January, Anno Domini eighteen hundred and sixty-three, organized

Any lawfully existing bank may become an

association under this act.

Proceedings in such case.

Certain existing banks owning bonds may transfer them and receive circulating notes.

Provisions in case such bank fails to redeem such circulation.

Bonds forfeit may be cancelled or sold.

This act may at any time be repealed, &c.

in any state, either under a special act of incorporation or a general banking law, may, at any time within — years after the passage of this act become an association under the provisions of this act; that in such case the certificate of association provided for by this act shall be signed by the directors of such banking association or corporation, and in addition to the specifications required by this act, shall specify that such directors are authorized by the owners of two thirds of the capital stock of such banking association or corporation, to make such certificate of association, and such certificate of association shall thereafter have the same effect, and the same proceedings shall be had thereon, as is provided for as to other associations organized under this act. And such association or corporation thereafter shall have the same powers and privileges, and shall be subject to the same duties, responsibilities, and rules, in all respects, as is [are] prescribed in this act for other associations organized under it, and shall be held and regarded as an association under this act.

SEC. 62. *And be it further enacted,* That any bank or banking association, authorized by any State law to engage in the business of banking, and duly organized under such State law at the time of the passage of this act, and which shall be the holder and owner of United States bonds to the amount of fifty per centum of its capital stock, may transfer and deliver to the treasurer of the United States such bonds, or any part thereof, in the manner provided by this act; and upon making such transfer and delivery, such bank or banking association shall be entitled to receive from the comptroller of the currency, circulating notes, as herein provided, equal in amount to eighty per centum of the amount of the bonds so transferred and delivered.

SEC. 63. *And be it further enacted,* That upon the failure of any such State bank or banking association, to redeem any of its circulating notes issued under the provisions of the preceding section, the comptroller of the currency shall, when satisfied that such default has been made, and within thirty days after notice of such default, proceed to declare the bonds transferred and delivered to the treasurer, forfeited to the United States, and the same shall thereupon be forfeited accordingly. And thereupon the circulating notes which have been issued by such bank or banking association shall be redeemed and paid at the treasury of the United States, in the same manner as other circulating notes issued under the provisions of this act are redeemed and paid.

SEC. 64. *And be it further enacted,* That the bonds forfeited, as provided in the last preceding section, may be cancelled to an amount equal to the circulating notes redeemed and paid, or such bonds may be sold, under the direction of the Secretary of the Treasury, and after retaining out of the proceeds a sum sufficient to pay the whole amount of circulating notes, for the redemption of which such bonds are held, the surplus, if any remains, shall be paid to the bank, or banking association from which such bonds were received.

SEC. 65. *And be it further enacted,* That Congress reserves the right, at any time, to amend, alter, or repeal this act.

APPROVED, February 25, 1863.

Feb. 25, 1863.

CHAP. LIX. — *An Act making Appropriations for the Legislative, Executive, and Judicial Expenses of the Government for the Year ending thirtieth June, eighteen hundred and sixty-four, and for the Year eighteen hundred and sixty-three, and for other Purposes.*

Legislative, &c., appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the objects hereinafter expressed for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-four, namely :

Legislative. — For compensation and mileage of Senators, two hundred and forty thousand four hundred and thirty dollars. Pay, &c., of senators.

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate, viz: Secretary of the Senate, three thousand six hundred dollars; officer charged with disbursements of the Senate, four hundred and eighty dollars; chief clerk, two thousand five hundred dollars; principal clerk and principal executive clerk in the office of the Secretary of the Senate, at two thousand one hundred and sixty dollars each; eight clerks in office of the Secretary of the Senate, at one thousand eight hundred and fifty dollars each; keeper of the stationery, one thousand seven hundred and fifty-two dollars; two messengers, at one thousand and eighty dollars each; one page, at five hundred dollars; sergeant-at-arms and doorkeeper, two thousand dollars; assistant doorkeeper, one thousand seven hundred dollars; postmaster to the Senate, one thousand seven hundred and fifty dollars; assistant postmaster and mail carrier, one thousand four hundred and forty dollars; two mail boys, at nine hundred dollars each; superintendent of the document room, one thousand five hundred dollars; two assistants in document room, at one thousand two hundred dollars each; superintendent of the folding room, one thousand five hundred dollars; two messengers, acting as assistant doorkeepers, at one thousand five hundred dollars each; seventeen messengers, at one thousand two hundred dollars each; superintendent in charge of Senate furnaces, one thousand two hundred dollars; assistant in charge of furnaces, six hundred dollars; laborer in private passage, six hundred dollars; two laborers, at four hundred and eighty dollars each; clerk or secretary to the President of the Senate, one thousand seven hundred and fifty-two dollars; clerk to the Committee on Finance, one thousand eight hundred and fifty dollars; clerk to the Committee of Claims, one thousand eight hundred and fifty dollars; clerk of printing records, one thousand eight hundred and fifty dollars; chaplain to the Senate, seven hundred and fifty dollars; making seventy-nine thousand and fourteen dollars.

For contingent expenses of the Senate, viz:

For stationery, fifteen thousand dollars. Contingencies of Senate.

For newspapers, three thousand dollars.

For Congressional Globe, twenty thousand dollars.

For reporting proceedings in the Daily Globe for the first session of the Thirty-eighth Congress, ten thousand dollars. Reporting.

For the usual additional compensation to the reporters of the Senate for the Congressional Globe for reporting the proceedings of the Senate for the first regular session of the Thirty-eighth Congress, eight hundred dollars each, four thousand dollars.

For clerks to committees, pages, horses, and carryalls, thirty-nine thousand dollars. Clerks.

For Capitol police, ten thousand two hundred and twenty-four dollars. Capitol police.

For expenses of heating and ventilating apparatus, fourteen thousand dollars. Heating.

For miscellaneous items, twenty thousand dollars. Miscellaneous.

For compensation and mileage of members of the House of Representatives and delegates, from Territories, nine hundred and thirty-four thousand dollars. Pay of representatives and delegates,

For compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives, viz: Clerk of the House of Representatives, three thousand six hundred dollars; two clerks, at two thousand one hundred and sixty dollars each; eleven clerks, at one thousand eight hundred dollars each; principal messenger in the office, at four dollars and eighty cents per day, one thousand seven hundred and fifty-six dollars and eighty cents; three messengers, at one thousand two hundred dollars each; messenger to the Speaker, at four dollars and eighty cents per day, one thousand seven hundred and fifty-

- Pay of officers of House. six dollars and eighty cents; clerk to the Committee of Ways and Means, one thousand eight hundred dollars; clerk to the Committee of Claims, one thousand eight hundred dollars; clerk to the Committee on Public Lands, one thousand eight hundred dollars; sergeant-at-arms, two thousand one hundred and sixty dollars; clerk to the sergeant-at-arms, one thousand eight hundred dollars; messenger to the sergeant-at-arms, one thousand two hundred dollars; postmaster, two thousand one hundred and sixty dollars; one messenger in the office, one thousand seven hundred and forty dollars; four messengers at one thousand four hundred and forty dollars each; two mail boys, at nine hundred dollars each; Capitol police, eleven thousand one hundred and seventy dollars; doorkeeper, two thousand one hundred and sixty dollars; superintendent of the folding room, one thousand eight hundred dollars; two messengers, at one thousand seven hundred and fifty-six dollars and eighty cents each; one messenger, at one thousand seven hundred and forty dollars; five messengers, at one thousand five hundred dollars each; six messengers, at one thousand two hundred dollars each; twelve messengers, to be employed during the session of Congress, at the rate of one thousand two hundred dollars each per annum; chaplain to the House of Representatives, seven hundred and fifty dollars; making one hundred and three thousand four hundred and eighty-seven dollars and twenty cents.
- Contingencies of House. For contingent expenses of the House of Representatives, viz :
For cartage, two thousand dollars.
- Congressional Globe and Appendix. For twenty-four copies of the Congressional Globe and Appendix for each member and delegate of the first regular session of the thirty-eighth Congress, and one hundred copies of the same for the House Library, thirty-nine thousand nine hundred and seventy-six dollars.
- Clerks. For the compensation of clerks to committees, and temporary clerks in the office of the Clerk of the House of Representatives, eighteen thousand eight hundred and sixty-four dollars.
- Folding. For folding documents, including materials, thirty thousand dollars.
- Fuel and lights. For fuel and lights, including pay of engineers, firemen, and laborers, repairs, and materials, twelve thousand dollars.
- Furniture, &c. For furniture, repairs, and packing boxes for members, ten thousand dollars.
- Horses, &c. For horses, carriages, and saddle horses, seven thousand five hundred dollars.
- Laborers. For laborers, seven thousand dollars.
- Miscellaneous. For miscellaneous items, forty thousand dollars.
- Newspapers. For newspapers, twelve thousand five hundred dollars.
- Pages. For pages and temporary mail boys, ten thousand two hundred and six dollars.
- Reporting. For reporting and publishing proceedings in the Daily Globe, at seven dollars and fifty cents per column, fifteen thousand dollars.
For stationery, twelve thousand dollars.
For the usual additional compensation to the reporters of the House for the Congressional Globe for reporting the proceedings of the House for the first regular session of the Thirty-eighth Congress, eight hundred dollars each, four thousand dollars.
- Library of Congress. *Library of Congress.* — For compensation of librarian, three assistant librarians, messenger, and laborers, ten thousand dollars.
For contingent expenses of said library, one thousand dollars.
For purchase of books for said library, five thousand dollars.
For purchase of law books for said library, two thousand dollars.
For stone flooring for library of Congress, four thousand dollars.
- Public printing. *Public Printing.* — For compensation of the Superintendent of Public Printing, and the clerks and messenger in his office, nine thousand seven hundred and seventeen dollars and sixty cents.
For contingent expenses of his office, viz : For blank books, stationery,

postage, advertising for proposals for paper, furniture, travelling expenses, horses and wagons, servant, and miscellaneous items, two thousand four hundred and twenty dollars.

For the public printing, one hundred and twenty-four thousand five hundred and thirty-nine dollars and seventy cents: *Provided*, That all lithographing and engraving, where the probable cost exceeds two hundred and fifty dollars, shall be awarded to the lowest and best bidder for the interest of the Government, after due advertisement by the Superintendent of Public Printing. Certain engraving, &c., to be awarded to lowest bidder.

For paper for the public printing, including the Post-office blanks, one hundred and eighty-three thousand five hundred and twelve dollars. Paper for public printing.

For the public binding, two hundred and twenty thousand three hundred and seventy-eight dollars and eight cents. Binding.

Court of Claims. — For salaries of three judges of the Court of Claims, the solicitor, assistant solicitor, deputy solicitor, clerk, and assistant clerk, and messenger thereof, twenty-seven thousand three hundred dollars. Court of Claims.

For stationery, books, fuel, lights, laborers' hire, and other contingent and miscellaneous expenses, three thousand dollars.

For compensation of attorneys to attend to taking testimony, and witnesses and commissioners, one thousand dollars.

Executive. — For compensation of the President of the United States, twenty-five thousand dollars. Executive.

For compensation of the Vice-President of the United States, eight thousand dollars.

For compensation of secretary to sign patents for lands, one thousand five hundred dollars.

For compensation to the private secretary, steward, and messenger of the President of the United States, four thousand six hundred dollars.

For contingent expenses of the Executive office, including stationery therefor, one thousand dollars.

Department of State. — For compensation of the Secretary of State and Assistant Secretary of State, clerks, messenger, assistant messenger, and laborers in his office, fifty-seven thousand eight hundred dollars. State Department.

For the Incidental and Contingent Expenses of said Department. — For publishing the laws in pamphlet form, and in newspapers of the States and Territories, and in the city of Washington, seventeen thousand one hundred and twenty-five dollars. Contingencies. Laws.

For proof-reading, and packing the laws and documents for the various legations and consulates, including boxes and transportation of the same, three thousand dollars.

For stationery, blank-books, binding, furniture, fixtures, and repairs, twelve thousand dollars.

For miscellaneous items, two thousand five hundred dollars.

For copper-plate printing, books, and maps, five thousand dollars.

For extra clerk hire and copying, ten thousand dollars.

Northeast Executive Building. — For compensation of four watchmen and two laborers of the Northeast Executive Building, three thousand six hundred dollars. Northeast Executive Building.

For contingent expenses of said building, viz: for fuel, light, repairs, and miscellaneous expenses, five thousand five hundred dollars.

Treasury Department. — For compensation of the Secretary of the Treasury, Assistant Secretary of the Treasury, clerks, messenger, assistant messenger, and laborers in his office, fifty-four thousand eight hundred dollars. Treasury department.

For compensation of the First Comptroller, and the clerks, messenger, and laborers in his office, thirty-three thousand seven hundred and forty dollars. 1st Comptroller's office.

For compensation of the Second Comptroller, and the clerks, messenger. 2d Comptroller's office.

ger, and laborer in his office, twenty-eight thousand two hundred and forty dollars.

1st Auditor's office. For compensation of the First Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, forty-two thousand nine hundred and forty dollars.

2d Auditor's office. For compensation of the Second Auditor, and the clerks, messenger, assistant messenger, and laborer in his office, thirty-eight thousand one hundred and forty dollars.

3d Auditor's office. For compensation of the Third Auditor, and the clerks, messenger, assistant messenger, and laborers in his office, ninety-three thousand four hundred and forty dollars.

4th Auditor's office. For compensation of the Fourth Auditor, and the clerks, messenger, and assistant messenger in his office, thirty-one thousand nine hundred and forty dollars.

5th Auditor's office. For compensation of the Fifth Auditor, and the clerks, messenger, and laborer in his office, seventeen thousand eight hundred and forty dollars.

Office of Auditor for P. O. Department. For compensation of the Auditor of the Treasury for the Post-Office Department, and the clerks, messenger, assistant messenger, and laborers in his office, one hundred and eighty-two thousand seven hundred and forty dollars.

Treasurer's office. For compensation of the Treasurer of the United States, and the clerks, messenger, assistant messenger, and laborers in his office, twenty-nine thousand seven hundred and forty dollars.

Register's office. For compensation of the Register of the Treasury, and the clerks, messenger, assistant messenger, and laborers in his office, fifty-three thousand three hundred and forty dollars.

Solicitor's office. For compensation of the Solicitor of the Treasury, and the clerks and messenger in his office, eighteen thousand five hundred and forty dollars.

Office of Commissioners of Customs. For compensation of the Commissioner of Customs, and the clerks, messenger, and laborer in his office, twenty thousand four hundred and forty dollars.

Light-house Board. For compensation of the clerks, messenger, and laborer of the Light-house Board, nine thousand two hundred and forty dollars.

Commissioner of Internal Revenue. For compensation of the Commissioner of Internal Revenue, and clerks, procuring dies, stamps, adhesive stamps, paper, printing forms and regulations, advertising, and any other expenses of carrying into effect the act of July first, eighteen hundred and sixty-two, five hundred thousand dollars.

1862, ch. 119. *Ante*, p. 432. Treasury Department contingencies.

Secretary's office. *Contingent Expenses of the Treasury Department.*
In the office of the Secretary of the Treasury:
For copying, labor, binding, sealing ships' registers, translating foreign languages, advertising, and extra clerk hire for preparing and collecting information to be laid before Congress, and for miscellaneous items, twenty thousand dollars.

Secretary may classify clerks. For compensation of temporary clerks in the Treasury Department: *Provided*, That the Secretary of the Treasury be, and he is hereby authorized, in his discretion, to classify the clerks authorized according to the character of their services, or assign to such of them as he shall see fit any compensation not exceeding that of clerks of the first class, two hundred thousand dollars.

1st Comptroller's office. In the office of the First Comptroller:

For furniture, blank books, binding, stationery, public documents, State and Territorial statutes and miscellaneous items, one thousand eight hundred dollars.

2d Comptroller's office. In the office of the Second Comptroller:

For blank books, binding, stationery, and miscellaneous items, including subscription to one city newspaper, to be bound and preserved for the use of the office, one thousand two hundred dollars.

In the office of the First Auditor :	1st Auditor's office.
For blank books, binding, stationery, and miscellaneous items, and sub- scription to one city newspaper, one thousand five hundred dollars.	
In the office of the Second Auditor :	2d Auditor's office.
For stationery, office furniture, and miscellaneous items, including two of the city newspapers, to be filed, bound, and preserved, for the use of the office, and for additional office furniture for the contemplated increase of the clerical force of the office, ten thousand dollars.	
In the office of the Third Auditor :	3d Auditor's office.
For blank books, binding, stationery, office furniture, carpeting, two newspapers, preserving files and papers, bounty land service, and miscel- laneous items, two thousand two hundred dollars.	
In the office of the Fourth Auditor :	4th Auditor's office.
For contingent expenses of the office, one thousand five hundred dol- lars.	
In the office of the Fifth Auditor :	5th Auditor's office.
For blank books, stationery, postage, and miscellaneous expenses, in which are included two daily newspapers, one thousand dollars.	
In the office of the Treasurer :	Treasurer's office.
For contingent expenses of the office, one thousand five hundred dol- lars.	
In the office of the Register :	Register's office.
For stationery, arranging and binding cancelled marine papers, cases for official papers and records, and miscellaneous items, including office furniture and carpeting, five thousand dollars.	
Office of the Solicitor of the Treasury :	Solicitor's office.
For stationery, labor, and miscellaneous items, and for statutes and re- ports, two thousand two hundred dollars.	
Office of the Commissioner of Customs	Office of Com- missioner of Cust- oms.
For stationery, miscellaneous items, and office furniture, one thousand five hundred dollars.	
Light-house Board :	Light-house Board.
For stationery, miscellaneous expenses, and postage, six hundred dol- lars.	
<i>For the General Purposes of the Southeast Executive Building, includ- ing the Extension.</i> — For compensation of twelve watchmen and eleven laborers of the Southeast Executive Building, thirteen thousand eight hundred dollars.	Southeast Ex- ecutive Building.
For contingent expenses of said building, fuel, light, labor, and miscel- laneous items, twenty thousand dollars.	
<i>Department of the Interior.</i> — For compensation of the Secretary of the Interior, Assistant Secretary, and the clerks, messenger, assistant messengers, watchmen, and laborers in his office, forty-four thousand seven hundred dollars.	Department of Interior. Secretary's office.
<i>Contingent Expenses — Department of the Interior.</i>	Contingent ex- penses.
Office of the Secretary of the Interior :	Secretary's office.
For books, stationery, furniture, fuel, lights, and other contingencies, and for books and maps for the library, seven thousand dollars.	
For casual repairs of the Patent-Office building, fifteen hundred dollars.	Repairs of Pat- ent Office.
For expenses of packing and distributing Congressional journals and documents, in pursuance of the provisions contained in the joint resolu- tion of Congress, approved twenty-eighth January, eighteen hundred and fifty-seven, and act fifth February, eighteen hundred and fifty-nine, six thousand dollars.	Distributing Congressional journals and docu- ments. Vol. xi. p. 253. 1859, ch. 22. Vol. xi. p. 379.
Office of Indian Affairs :	Office of Indian Affairs.
For blank books, binding, stationery, fuel, lights, and miscellaneous items, including two of the daily city newspapers, to be filed, bound, and preserved for the use of the office, five thousand dollars.	
For compensation of the commissioner of the General Land Office,	Commissioner General Land Office.

chief clerk, and the recorder, draughtsman, assistant draughtsman, clerks, messengers, assistant messengers, packers, watchmen, and laborers in his office, one hundred and seventy-five thousand four hundred and forty dollars.

Additional
clerks.
1855, ch. 207.
Vol. x. p. 701.

For additional clerks in the General Land Office, under the act of third March, one thousand eight hundred and fifty-five, granting bounty land, and for laborers employed therein, fifty-eight thousand four hundred dollars: *Provided*, That the Secretary of the Interior, at his discretion, shall be, and he is hereby authorized, to use any portion of said appropriation for piece-work, or by the day, week, month, or year, at such rate or rates as he may deem just and fair, not exceeding a salary of twelve hundred dollars per annum.

For fuel, lights, and incidental expenses attending the same, including pay of furnace-keeper, four thousand dollars.

Commissioner
of Indian Affairs,
of Pensions.

For compensation of the Commissioner of Indian Affairs, and the clerks, messenger, assistant messenger, watchmen, and laborer in his office, thirty-one thousand nine hundred and forty dollars.

For compensation of the Commissioner of Pensions, and the clerks, messenger, assistant messengers, watchman, and laborers in his office, one hundred and thirty-five thousand five hundred and forty dollars.

For travelling expenses for a special agent, two thousand five hundred dollars.

Pension-office.

Pension-Office :

For stationery, binding books, furniture, and repairing the same; miscellaneous items, including two daily city newspapers, to be filed, bound, and preserved for the use of the office; and for engraving and retouching plates for bounty land warrants, printing and binding the same, fifteen thousand dollars.

Commissioner
of Public Build-
ings.

For compensation of the Commissioner of Public Buildings, and the clerk and messenger in his office, four thousand two hundred dollars.

For stationery, blank books, plans, drawings, and other contingent expenses of the office of the Commissioner of Public Buildings, five hundred dollars.

Surveyors-Gen-
eral and their
clerks.

Surveyors-General and their Clerks. — For compensation of the surveyor-general of Wisconsin and Iowa, and the clerks in his office, five thousand seven hundred dollars.

Wisconsin and
Iowa.

For compensation of the surveyor-general of Oregon, and the clerks in his office, five thousand five hundred dollars.

Oregon.
California.

For compensation of the surveyor-general of California, and the clerks in his office, twelve thousand five hundred dollars.

Washington.

For compensation of the surveyor-general of Washington Territory, and the clerks in his office, six thousand dollars.

New Mexico.

For compensation of the surveyor-general of New Mexico, and the clerks in his office, three thousand dollars.

For compensation of translator in the office of the surveyor-general of New Mexico, two thousand dollars.

Kansas and
Nebraska.

For compensation of the surveyor-general of Kansas and Nebraska, and the clerks in his office, six thousand one hundred dollars.

Minnesota.

For compensation of the surveyor-general of Minnesota, and the clerks in his office, five thousand seven hundred dollars.

Colorado.

For compensation of the surveyor-general of the Territory of Colorado, and the clerks in his office, four thousand dollars.

Dakota.

For compensation of the surveyor-general of the Territory of Dakota, and the clerks in his office, two thousand nine hundred and six dollars and fifty-nine cents.

Oregon.

For rent of surveyor-general's office in Oregon, fuel, books, stationery, and other incidental expenses, including pay of messenger, two thousand dollars.

California.

For rent of surveyor-general's office in California, fuel, books, sta-

tionery, and other incidental expenses, including pay of messenger, four thousand dollars.

For office rent for the surveyor-general of Washington Territory, fuel, books, stationery, and other incidental expenses, two thousand dollars. Washington.

For rent of the surveyor-general's office in New Mexico, fuel, books, stationery, and other incidental expenses, two thousand dollars. New Mexico.

For office rent of the surveyor-general of Kansas and Nebraska, fuel, and incidental expenses, one thousand five hundred dollars. Kansas and Nebraska.

For rent of the surveyor-general's office in the Territory of Colorado, fuel, books, stationery, and other incidental expenses, one thousand dollars. Colorado.

For rent of the surveyor-general's office in the Territory of Dakota, fuel, books, stationery, and other incidental expenses, one thousand five hundred dollars. Dakota.

For salary of the recorder of land titles in Missouri, five hundred dollars. Recorder in Missouri.

For the pay of the wages of one clerk in the consolidated land-office at Des Moines, Iowa, one thousand dollars. Des Moines; Iowa.

War Department. — For compensation of the Secretary of War, Assistant Secretary of War, and the clerks, messenger, assistant messenger, and laborer in his office, forty thousand four hundred and eighty dollars. War Department. Secretary's office.

For compensation of the clerks and messenger in the office of the Adjutant-General, fifty-six thousand nine hundred and twenty dollars. Office of Adjutant-General,

For compensation of the clerks and messenger in the office of the Quartermaster-General, forty-four thousand seven hundred and sixty dollars. of Quartermaster-General,

For compensation of the clerks and messengers in the office of the Paymaster-General, eighty-three thousand eight hundred and eighty dollars. of Paymaster-General,

For compensation of the clerks, messenger, and laborer in the office of the Commissary-General, twenty thousand six hundred and forty dollars. of Commissary-General,

For compensation of the clerks, messenger, and laborer in the office of the Surgeon-General, twelve thousand four hundred and forty dollars. of Surgeon-General,

For compensation of the clerks, messenger, and laborer in the office of Topographical Engineers, thirteen thousand eight hundred and forty dollars. of Topographical Engineers,

For compensation of the clerks and messenger in the office of the Chief Engineer, nine thousand four hundred and forty dollars. of Chief Engineer,

For compensation of the clerks and messenger in the office of the Colonel of Ordnance, eighteen thousand two hundred and forty dollars. of Colonel of Ordnance,

Contingent Expenses of the War Department.

Office of the Secretary of War :

For blank books, stationery, books, maps, extra clerk hire, and miscellaneous items, twelve thousand dollars. Contingencies of War Department.

Office of the Adjutant-General :

For blank books, binding, stationery, and miscellaneous items, four thousand dollars.

Office of the Quartermaster-General :

For blank books, binding, stationery, and miscellaneous items, ten thousand dollars.

Office of the Paymaster-General :

For blank books, binding, stationery, and miscellaneous items, three thousand dollars.

Office of the Commissary-General :

For blank books, stationery, and binding, including rent of office, and hire of watchmen, seven thousand five hundred and sixty dollars.

Office of the Chief Engineer :

For blank books, binding, stationery, and miscellaneous items, one thousand five hundred dollars.

Contingencies
of War Depart-
ment.

Office of the Surgeon-General :

For blank books, binding, stationery, and miscellaneous items, five thousand dollars.

Office of the Colonel of Ordnance :

For blank books, binding, stationery, and miscellaneous items, three thousand five hundred dollars.

Office of the Colonel of Topographical Engineers :

For blank books, binding, stationery, and miscellaneous items, two thousand dollars.

Northwest Ex-
ecutive Building.

For the General Purposes of the Northwest Executive Building. — For compensation of superintendent, four watchmen, and two laborers of the Northwest Executive Building, three thousand eight hundred and fifty dollars.

For labor, fuel, light, and miscellaneous items, eight thousand dollars.

Building corner
of F and Seven-
teenth streets.

For the General Purposes of the Building Corner of F and Seventeenth Streets. — For compensation of superintendent, four watchmen, and two laborers for said building, three thousand eight hundred and fifty dollars.

For fuel, compensation of firemen, and miscellaneous items, five thousand five hundred dollars.

Building corner
of F and Fifteenth
streets.

For the General Purposes of the Building Corner of F and Fifteenth Streets. — For superintendent, watchman, fuel, lights, and miscellaneous items, ten thousand dollars.

Navy Depart-
ment.

Navy Department. — For compensation of the Secretary of the Navy, Assistant Secretary of the Navy, and the clerks, messenger, assistant messenger, and laborer in his office, thirty-six thousand two hundred dollars.

Bureau of
Yards and Docks,

For compensation of the Chief of the Bureau of Navy Yards and Docks, and the civil engineer, clerks, messenger, and laborers in his office, eighteen thousand two hundred and forty dollars.

of Equipment
and Recruiting,

For compensation of the Chief of the Bureau of Equipment and Recruiting, and the clerks and messenger in his office, ten thousand six hundred and forty dollars.

of Navigation,

For compensation of the Chief of the Bureau of Navigation, and the clerks and messenger in his office, eight thousand seven hundred and forty dollars.

of Ordnance,

For compensation of the Chief of the Bureau of Ordnance, and the assistant, clerk, draughtsman, messenger, and laborers in his office, eleven thousand two hundred and twenty dollars.

of Construc-
tion, Equipment,
and Repairs,

For compensation of the Chief of the Bureau of Construction, Equipment, and Repairs, and the clerks, draughtsman, messenger, and laborer in his office, sixteen thousand three hundred and forty dollars.

of Steam Engi-
neering,

For compensation of the Chief of the Bureau of Steam Engineering, and the clerks, draughtsmen, messenger, and laborer in his office, ten thousand seven hundred and forty dollars.

of Provisions
and Clothing,

For compensation of the Chief of the Bureau of Provisions and Clothing, and the clerks, messenger, and laborer, thirteen thousand five hundred and forty dollars.

of Medicine and
Surgery.

For compensation of the Chief of the Bureau of Medicine and Surgery, assistant, and the clerks, messenger, and laborer in his office, ten thousand five hundred and forty dollars.

Contingencies
of Navy Depart-
ment.

Contingent Expenses of the Navy Department. —

Office Secretary of the Navy :

For blank books, binding, stationery, labor, newspapers, periodicals, and miscellaneous items, two thousand eight hundred and forty dollars.

Bureau of Yards and Docks :

For stationery, books, plans, drawings, and miscellaneous items, eight hundred dollars.

Bureau of Equipment and Recruiting :

For stationery, books, furniture, and miscellaneous items, one thousand six hundred dollars. Contingencies of Navy Department.

Bureau of Navigation :

For stationery, blank books, and miscellaneous items, six hundred dollars.

Bureau of Ordnance :

For blank books, stationery, and miscellaneous items, one thousand dollars.

Bureau of Construction, Equipment, and Repairs :

For blank books, binding, stationery, and miscellaneous items, eight hundred dollars.

Bureau of Steam Engineering :

For blank books, binding, stationery, and miscellaneous items, eight hundred dollars.

Bureau of Provisions and Clothing :

For blank books, stationery, and miscellaneous items, one thousand dollars.

Bureau of Medicine and Surgery :

For books, stationery, and miscellaneous items, four hundred and fifty dollars.

For the General Purposes of the Southwest Executive Building. — For compensation of three watchmen and two laborers of the Southwest Executive Building, two thousand seven hundred and sixty dollars. Southwest Executive Building.

For contingent expenses of said building, viz :

For labor, fuel, lights, and miscellaneous items, five thousand dollars.

Post-Office Department. — For compensation of the Postmaster-General, three Assistant Postmasters-General, and the clerks, messenger, assistant messengers, watchmen, and laborers of said department, one hundred and fifty-eight thousand two hundred and twenty dollars. Post-Office Department.

For compensation of twenty-five additional clerks, twenty thousand dollars.

Contingent Expenses of Post-Office Department. — For blank books, binding, and stationery, fuel for the General Post-Office building, including the Auditor's office, oil, gas, and candles, printing; repairs of the General Post-Office building, office furniture, glazing, painting, whitewashing, and for keeping the fire-places and furnaces in order; for watchmen, engineer, (for steam-engine,) laborers, repairs of furniture, and for miscellaneous items, thirty-five thousand dollars. Contingent expenses of P. O. Department.

Department of Agriculture. — For the salary of the Commissioner of Agriculture, three thousand dollars. Department of Agriculture.

For the salary of the chief clerk in the Department of Agriculture, two thousand dollars. Commissioner, Chief Clerk.

For the collection and compiling of agricultural statistics; for promoting agricultural and rural economy; and the procurement, propagation, and distribution of cuttings and seeds of new and useful varieties; and for the introduction and protection of insectivorous birds; and for the purpose of establishing a laboratory, with the necessary apparatus for practical and scientific experiments in agricultural chemistry; and for paying the clerks and employees and contingent expenses necessary in said department, ninety thousand dollars; and three thousand dollars of which appropriation shall be for encouraging the culture of cotton and tobacco. Statistics, &c.

For investigations to test the practicability of cultivating and preparing flax and hemp, as a substitute for cotton, twenty thousand dollars. Substitutes for cotton.

Mint of the United States at Philadelphia. — For salaries of the director, treasurer, assayer, melter and refiner, chief coiner and engraver, assistant assayer, assistant melter and refiner, and seven clerks, twenty-six thousand four hundred dollars. Mint at Philadelphia.

Mint at Philadelphia.

For wages of workmen and adjusters, one hundred and eleven thousand eight hundred dollars.

For incidental and contingent expenses, including repairs and wastage, forty thousand dollars.

For specimens of ores and coins to be preserved in the cabinet at the mint, three hundred dollars.

For transportation of bullion from New York assay-office to the United States mint for coinage, ten thousand dollars.

Branch mint at San Francisco.

Branch Mint at San Francisco, California. — For salaries of superintendent, treasurer, assayer, melter and refiner, coiner, and six clerks, thirty thousand five hundred dollars.

For wages of workmen and adjusters, one hundred and five thousand dollars.

For incidental and contingent expenses, including repairs and wastage, forty-five thousand dollars.

Assay-office, New York.

Assay-Office, New York. — For salaries of superintendent, treasurer, assayer and melter and refiner, assistant assayer, officers, and clerks, twenty-two thousand five hundred dollars.

For wages of workmen, forty thousand dollars.

Governments in the Territories:
New Mexico.

GOVERNMENTS IN THE TERRITORIES.

Territory of New Mexico. — For salaries of governor, three judges, and secretary, twelve thousand dollars.

For contingent expenses of said Territory, one thousand dollars.

For interpreter and translator in the executive office, five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, eighteen thousand dollars.

For salary of clerk at the United States depository, at Santa Fe, New Mexico, per annum, eighteen hundred dollars; watchman, per annum, six hundred dollars; porter, per annum, four hundred dollars.

Utah.

Territory of Utah. — For salaries of governor, three judges, and secretary, twelve thousand dollars.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, six thousand dollars.

Washington.

Territory of Washington. — For salaries of governor, three judges, and secretary, twelve thousand five hundred dollars.

For contingent expenses of said Territory, one thousand five hundred dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerk, and contingent expenses of the assembly, twenty thousand dollars.

Nebraska.

Territory of Nebraska. — For salaries of governor, three judges, and secretary, ten thousand five hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, four thousand dollars.

Colorado.

Territory of Colorado. — For salaries of governor and superintendent of Indian affairs, three judges, and secretary, nine thousand seven hundred dollars.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Nevada. — For salaries of governor and superintendent of Indian affairs, three judges, and secretary, nine thousand seven hundred dollars. Nevada.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, twenty thousand dollars.

Territory of Dakota. — For salaries of governor and superintendent of Indian affairs, three judges, and secretary, nine thousand seven hundred dollars. Dakota.

For contingent expenses of said Territory, one thousand dollars.

For compensation and mileage of the members of the legislative assembly, officers, clerks, and contingent expenses of the assembly, fifteen thousand dollars: *Provided*, That the sum of three thousand two hundred and forty-one dollars and thirty-three and one third cents direct tax laid upon the Territory of Dakota be paid and satisfied by deducting said amount from the appropriation for legislative expenses of said Territory of Dakota for the year ending the thirtieth of June, eighteen hundred and sixty-four.

Part of direct tax laid on Dakota to be deducted from appropriation.

Judiciary. — For salaries of the chief justice of the Supreme Court, and eight associate justices, thirty thousand dollars. Judiciary.

Supreme court, &c.

For salaries of the district judges, thirty thousand dollars.

For salary of the circuit judge of California, six thousand dollars.

For salaries of the chief justice of the District of Columbia, the associate judges, and the judges of the criminal court and the orphans' court, fifteen thousand seven hundred and fifty dollars.

Office of the Attorney-General. — For salaries of the Attorney-General, Assistant Attorney-General, and the clerks and messenger in his office, twenty thousand three hundred dollars. Office of Attorney-General.

Contingent expenses of the office of the Attorney-General, namely:

For fuel, labor, furniture, stationery, and miscellaneous items, three thousand dollars.

For purchase of law and necessary books for the office of the Attorney-General, two hundred and fifty dollars.

For legal assistance and other necessary expenditures in the disposal of private land claims in California, ten thousand dollars. Expenses of California land-claims.

For special and other extraordinary expenses of California land-claims, ten thousand dollars.

For salary of the reporter of the decisions of the Supreme Court, one thousand three hundred dollars. Reporter.

Expenses of Courts of the United States. — For defraying the expenses of the Supreme, Circuit, and District Courts of the United States, including the District of Columbia; also, for jurors and witnesses, in aid of the funds arising from fines, penalties, and forfeitures, incurred in the fiscal year ending June thirtieth, eighteen hundred and sixty-four, and previous years; and likewise for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offences committed against the United States, and for the safe-keeping of prisoners, one million dollars. Court expenses, and prosecution of crime.

Independent Treasury. — For salaries of the assistant treasurers of the United States at New York, Boston, Charleston, and St. Louis, sixteen thousand five hundred dollars. Independent treasury.

For additional salary of the treasurer of the mint at Philadelphia, one thousand dollars.

For salaries of the clerk and messenger in office of assistant treasurer at Boston, four thousand nine hundred dollars.

For salaries of clerks, messengers, watchmen, and porter in office of assistant treasurer at New York, forty-seven thousand seven hundred dollars.

For salaries of clerks, messengers, watchmen, and porter in office of assistant treasurer at New York, forty-seven thousand seven hundred dollars.

For salaries of clerks in the office of the assistant treasurer at St. Louis, three thousand dollars.

Steamboat inspectors.

1852, ch. 106.
Vol. x. p. 61.

For salaries of nine supervising, and fifty local inspectors, appointed under act thirtieth August, eighteen hundred and fifty-two, for the better protection of the lives of passengers by steamboats, with travelling and other expenses incurred by them, twenty-five thousand dollars.

1846, ch. 90.
Vol. ix. p. 59.

For contingent expenses, under the act of sixth August, eighteen hundred and forty-six, for the safe-keeping, collection, transfer, and disbursement of the public revenue, in addition to premium which has been or may be received on transfer draft: *Provided*, That no part of said sum shall be expended for clerical services, twenty thousand dollars.

Proviso.

Tax commissioners in insurrectionary districts.

Commissioners of Direct Taxes in Insurrectionary Districts. — For compensation of thirty-three commissioners, at three thousand dollars each, and eleven clerks at twelve hundred dollars each, one hundred and twelve thousand two hundred dollars.

For contingent expenses, six thousand dollars.

Public buildings and grounds.

Public Buildings and Grounds. — For compensation to the laborer in charge of the water-closets in the Capitol, four hundred and thirty-eight dollars.

For compensation to the public gardener, one thousand four hundred and forty dollars.

For compensation of a foreman and twenty-one laborers employed in the public grounds, thirteen thousand four hundred dollars.

For compensation of the keeper of the western gate, Capitol square, eight hundred and seventy-six dollars.

For compensation of two day-watchmen employed in the Capitol square, one thousand two hundred dollars.

For compensation of two night-watchmen employed at the President's House, one thousand two hundred dollars.

For compensation of the doorkeeper at the President's House, six hundred dollars.

For compensation of the assistant doorkeeper at the President's House, six hundred dollars.

For compensation of one night-watchman employed for the better protection of the buildings lying south of the Capitol, and used as public stables and carpenters' shops, six hundred dollars.

For compensation of watchman employed on reservation number two, six hundred dollars.

Draw-keepers at bridges.

For compensation of eight draw-keepers at the Potomac bridge, and for fuel, oil, and lamps, six thousand five hundred and thirty-two dollars.

For compensation of two draw-keepers at the two bridges across the Eastern Branch of the Potomac, and for fuel, oil, and lamps, one thousand one hundred and eighty dollars.

For furnace-keeper at the President's House, six hundred dollars.

To enable the Commissioner of Public Buildings to employ a keeper of three furnaces under the old hall of the *of the* House of Representatives, six hundred dollars.

Metropolitan police.

Po t, pp. 751, 752.

Metropolitan Police. — For salaries and other necessary expenses of the metropolitan police for the District of Columbia, including the same annual compensation (two hundred and fifty dollars) to each of the two ex-officio members of the Board of Police from the organization thereof, August nineteen eighteen hundred and sixty-one, as is allowed by law to the Commissioners of Police.

Additional clerks authorized.

SEC. 2. *And be it further enacted*, That, in addition to the clerical force now authorized by law, the following clerks and employes are hereby authorized in the several departments and offices hereinafter specified, to be employed and continue only during the rebellion, and for one year after its close, viz :

In the office of the Secretary of the Treasury, five clerks of class four :	In office of Secretary of Treasury,
In the office of the Second Auditor of the Treasury, three clerks of class four, eight of class three, twelve of class two, one assistant messenger at a salary of seven hundred dollars, and one laborer at a salary of six hundred dollars per annum.	of 2d Auditor,
In the office of the Third Auditor of the Treasury, six clerks of class four, seven of class three, nine of class two, and eighteen of class one, and ten clerks as copyists at a rate not exceeding fifty dollars per month.	of 3d Auditor,
In the office of the Fifth Auditor of the Treasury, one clerk of class four, two of class three, four of class two, thirteen of class one, and six copying clerks, at an annual salary of six hundred dollars each.	of 5th Auditor,
In the office of the assistant treasurer at Boston, one clerk at a salary of twelve hundred dollars per annum.	of Assistant Treasurer at Boston,
In the office of the assistant treasurer at New York, clerks, messengers, keeper, and laborers, whose salaries in the aggregate shall not exceed eight thousand seven hundred dollars.	at New York,
In the office of the treasurer of the mint as depository, in lieu of the clerks heretofore authorized, clerks and messenger, whose salaries in the aggregate shall not exceed five thousand five hundred dollars.	at the Mint,
In the office of the assistant treasurer at Saint Louis, messenger, watchman, and laborer, whose salaries in the aggregate shall not exceed two thousand dollars.	at Saint Louis,
In the office of the Secretary of the Navy, three clerks of the first class and three of the second class.	of Secretary of Navy,
In the Ordnance Bureau of the Navy, one chief clerk and three clerks of the second class.	of Ordnance Bureau,
In the Bureau of Provisions and Clothing, two clerks of the first class and two of the second class.	of Provisions and Clothing,
In each of the Bureaus of Medicine and Surgery, Equipment and Recruiting, and Navigation, one laborer at an annual salary of six hundred dollars.	of Medicine and Surgery, &c.
In the Navy Department, two additional night watchmen, each at an annual salary of six hundred dollars.	Night watchmen.
In the Pension-Office, three clerks of class four, four of class three, four of class two, nine of class one, one additional assistant messenger at a salary of seven hundred dollars, and one additional laborer at a salary of six hundred dollars per annum, for the current year ; five additional clerks of class four, six of class three, eight of class two, and sixteen of class one, one additional assistant messenger at a salary of seven hundred dollars, and one additional laborer at a salary of six hundred dollars per annum, for the fiscal year ending June thirty, eighteen hundred and sixty-four.	Additional clerks, &c., in Pension-Office,
In the office of the Secretary of War, six clerks of class four, and eight of class one.	in office of Secretary of War,
In the office of the Chief of Ordnance of the War Department, three clerks of class four, and twenty of class one.	of Chief of Ordnance,
In the office of the Adjutant-General, eight clerks of class two, and twenty of class one.	of Adjutant-General,
In the office of the Commissary-General, twelve clerks of class one, and one laborer at a salary of six hundred dollars per annum.	of Commissary General,
In the office of the Surgeon-General, one clerk of class four, one of class three, two of class two, and twenty-one of class one.	of Surgeon-General,
In the office of the Paymaster-General, four clerks of class three, and sixteen of class one ; and in the office of the Chief of Engineers, two clerks of class one.	of Paymaster-General.
And the several clerks and other employees authorized by this section shall be appointed by the heads of the several departments to which they are severally attached, and the amount necessary to pay their salaries, from the time of their appointment, for the fiscal year ending June thirty,	Clerks, &c., how appointed; appropriations therefor.

eighteen hundred and sixty-three, and for the fiscal year ending June thirty, eighteen hundred and sixty-four, is hereby appropriated therefor.

Construction of 1862, ch. 182, § 3. *Ante*, p. 582.

SEC. 3. *And be it further enacted*, That nothing contained in the third section of an act entitled "An act making supplemental appropriations for the year ending June thirty, eighteen hundred and sixty-three, and for the year ending June thirty, eighteen hundred and sixty-two, and for other purposes," approved July sixteen, eighteen hundred and sixty-two, shall be construed to increase the salaries of the Superintendent of the Census or the Assistant Postmasters-General.

APPROVED, February 25, 1863.

Feb. 25, 1863.

CHAP. LX. — *An Act to prevent Correspondence with Rebels.*

Correspondence written or verbal, with rebel government or agents or persons therein, how punished.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person, being a resident of the United States, or being a citizen thereof, and residing in any foreign country, shall, without the permission or authority of the Government of the United States, and with the intent to defeat the measures of the said Government, or to weaken in any way their efficacy, hold or commence, directly or indirectly, any correspondence or intercourse, written or verbal, with the present pretended rebel Government, or with any officer or agent thereof, or with any other individual acting or sympathizing therewith; or if any such person above mentioned, not duly authorized, shall counsel or assist in any such correspondence or intercourse, with intent as aforesaid, he shall be deemed guilty of a high misdemeanor, and, on conviction before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding ten thousand dollars, and by imprisonment not less than six months nor exceeding five years.

In what court offence to be tried.

SEC. 2. *And be it further enacted*, That where the offence is committed in any foreign country, the district court of the United States for the district where the offender shall be first arrested shall have jurisdiction thereof.

APPROVED, February 25, 1863.

Feb. 25, 1863.

CHAP. LXI. — *An Act to amend an Act entitled "An Act to prevent Members of Congress and Officers of the Government of the United States from taking Considerations for procuring Contracts, Office, or Place from the United States, and for other Purposes."*

1862, ch. 180. *Ante*, p. 577.

Contracts with government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of said act shall be so construed as to embrace any agent of the Government of the United States.

APPROVED, February 25, 1863.

March 2, 1863.

CHAP. LXVII. — *An Act to prevent and punish Frauds upon the Government of the United States.*

Persons in military or naval service making or presenting fictitious claim, &c., against the government, how punished.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person in the land or naval forces of the United States, or in the militia in actual service of the United States, in time of war, who shall make or cause to be made, or present or cause to be presented for payment or approval to or by any person or officer in the civil or military service of the United States, any claim upon or against the Government of the United States, or any department or officer thereof, knowing such claim to be false, fictitious, or fraudulent; any person in such forces or service who shall, for the purpose of obtaining, or aiding in obtaining, the approval or payment of such claim, make, use, or cause to be made or used, any false bill, receipt,

voucher, entry, roll, account, claim, statement, certificate, affidavit, or deposition, knowing the same to contain any false or fraudulent statement or entry; any person in said forces or service who shall make or procure to be made, or knowingly advise the making of any false oath to any fact, statement, or certificate, voucher or entry, for the purpose of obtaining, or of aiding to obtain, any approval or payment of any claim against the United States or any department or officer thereof; any person in said forces or service who, for the purpose of obtaining or enabling any other person to obtain from the Government of the United States, or any department or officer thereof, any payment or allowance, or the approval or signature of any person in the military, naval, or civil service of the United States, of or to any false, fraudulent, or fictitious claim, shall forge or counterfeit, or cause or procure to be forged or counterfeited, any signature upon any bill, receipt, voucher, account, claim, roll, statement, affidavit, or deposition; and any person in said forces or service who shall utter or use the same as true or genuine, knowing the same to have been forged or counterfeited; any person in said forces or service who shall enter into any agreement, combination, or conspiracy to cheat or defraud the Government of the United States, or any department or officer thereof, by obtaining, or aiding and assisting to obtain, the payment or allowance of any false or fraudulent claim; any person in said forces or service who shall steal, embezzle, or knowingly and wilfully misappropriate or apply to his own use or benefit, or who shall wrongfully and knowingly sell, convey, or dispose of any ordnance, arms, ammunition, clothing, subsistence stores, money, or other property of the United States, furnished or to be used for the military or naval service of the United States; any contractor, agent, paymaster, quartermaster, or other person whatsoever in said forces or service having charge, possession, custody, or control of any money or other public property, used or to be used in the military or naval service of the United States, who shall, with intent to defraud the United States, or wilfully to conceal such money or other property, deliver or cause to be delivered to any other person having authority to receive the same any amount of such money or other public property less than that for which he shall receive a certificate or receipt; any person in said forces or service who is or shall be authorized to make or deliver any certificate, voucher, or receipt, or other paper certifying the receipt of arms, ammunition, provisions, clothing, or other public property so used or to be used, who shall make or deliver the same to any person without having full knowledge of the truth of the facts stated therein, and with intent to cheat, defraud, or injure the United States; any person in said forces or service who shall knowingly purchase or receive, in pledge for any obligation or indebtedness, from any soldier, officer, or other person called into or employed in said forces or service, any arms, equipments, ammunition, clothes, or military stores, or other public property, such soldier, officer, or other person not having the lawful right to pledge or sell the same, shall be deemed guilty of a criminal offence, and shall be subject to the rules and regulations made for the government of the military and naval forces of the United States, and of the militia when called into and employed in the actual service of the United States in time of war, and to the provisions of this act. And every person so offending may be arrested and held for trial by a court-martial, and if found guilty shall be punished by fine and imprisonment, or such other punishment as the court-martial may adjudge, save the punishment of death.

False vouchers.

False oaths.

Forging signatures.

Uttering forged papers.

Conspiring to defraud.

Stealing or embezzling.

Contractors, &c., concealing property, &c.

Delivering, &c., false receipts for arms, &c.

Purchasing or receiving arms, &c., from soldiers.

Trial by court-martial.

Punishment.

Dismissal from service not to prevent trial.

SEC. 2. *And be it further enacted*, That any person heretofore called or hereafter to be called into or employed in such forces or service, who shall commit any violation of this act and shall afterwards receive his discharge, or be dismissed from the service, shall, notwithstanding such discharge or dismissal, continue to be liable to be arrested and held for

trial and sentence by a court-martial, in the same manner and to the same extent as if he had not received such discharge or been dismissed.

Persons not in the service committing such frauds, how punished.

SEC. 3. *And be it further enacted*, That any person not in the military or naval forces of the United States, nor in the militia called into or actually employed in the service of the United States, who shall do or commit any of the acts prohibited by any of the foregoing provisions of this act, he shall forfeit and pay to the United States the sum of two thousand dollars, and, in addition, double the amount of damages which the United States may have sustained by reason of the doing or committing such act, together with the costs of suit; and such forfeiture and damages shall be sued for in the same suit, and every such person shall in addition thereto, on conviction in any court of competent jurisdiction, be punished by imprisonment not less than one, nor more than five years, or by fine of not less than one thousand dollars, and not more than five thousand dollars.

Forfeiture and damages.

District courts, &c., to have jurisdiction.

SEC. 4. *And be it further enacted*, That the several district courts of the United States, the circuit court of the District of Columbia, or any court therein to be established having general jurisdiction in civil cases, the several district courts of the Territories of the United States within whose jurisdictional limits the person doing or committing such act shall be found, shall, wheresoever such act may have been done or committed, have full power and jurisdiction to hear, try, and determine such suit. Such suit may be brought and carried on by any person, as well for himself as for the United States; the same shall be at the sole cost and charge of such person, and shall be in the name of the United States, but shall not be withdrawn or discontinued without the consent, in writing, of the judge of the court and the district attorney, first filed in the case, setting forth their reasons for such consent.

Who may institute, &c., suit.

District attorneys to make diligent inquiry for violations of this act.

SEC. 5. *And be it further enacted*, That it shall be the duty of the several district attorneys of the United States for the respective districts, for the District of Columbia, and for the several Territories, to be diligent in inquiring into any violation of the provisions of this act by persons liable to such suit, and found within their respective districts or territories, and to cause him or her to be proceeded against in due form of law for the recovery of such forfeiture and damages. And such person may be arrested and held to bail in such sum as the district judge may order, not exceeding the said sum of two thousand dollars, and twice the amount of the damages sworn to in the affidavit of the person bringing the suit.

Arrests; bail.

Prosecutor to receive half forfeiture.

SEC. 6. *And be it further enacted*, That the person bringing said suit and prosecuting it to final judgment shall be entitled to receive one half the amount of such forfeiture, as well as one half the amount of the damages he shall recover and collect; and the other half thereof shall belong to and be paid over to the United States; and such person shall be entitled to receive to his own use all costs the court may award against the defendant, to be allowed and taxed according to any provision of law or rule of court in force, or that shall be in force in suits between private parties in said court: *Provided*, That such person shall be liable for all costs incurred by himself in the case, and shall have no claim therefor on the United States.

Costs.

Proviso.

Suit to be commenced within six years.

SEC. 7. *And be it further enacted*, That every such suit shall be commenced within six years from the doing or committing the act, and not afterwards.

Certain persons interested, not to act as agents of the government.

SEC. 8. *And be it further enacted*, That no officer or agent of any banking or other commercial corporation, and no member of any mercantile or trading firm, or person directly or indirectly interested in the pecuniary profits or contracts of such corporation or firm, shall be employed or shall act as an officer or agent of the United States for the transaction of business with such corporation or firm; and every such *such* officer

agent, or member, or person, so interested, who shall so act, shall, upon conviction thereof, be punished by a fine of not more than two thousand dollars nor less than five hundred dollars, and by imprisonment for a term not exceeding two years.

SEC. 9. *And be it further enacted,* That all acts and parts of acts inconsistent with or repugnant to any of the provisions of this act are hereby repealed, saving, however, and excepting any and all suits or prosecutions now commenced pending, and all rights of suit or prosecution under any prior act of Congress, on account of the doing or committing of any act hereby prohibited; and all rights and claims which the United States, or any person or persons, now have, growing out of such prior act; all which pending suits and prosecutions shall proceed and be determined, and all which rights and claims shall remain and be as valid and effectual as if this present act had not been passed; nor shall this act be so construed as in any way to impair or affect the obligation, duty, or liability of any person who now is or shall hereafter become the surety of any person contracting with the United States, or any officer or agent thereof; but every such surety shall be liable and answerable for the default of his principal in the same manner as if this act had not been passed, save to the extent to which his principal has performed the contract, or, if damages have been so recovered, to the extent of one half of the damages so recovered and paid; which last amount may be shown in reduction of damages in any suit brought against the principal and surety, or principals and sureties, on their contract.

Repealing and saving clause.

APPROVED, March 2, 1863.

CHAP. LXVIII. — *An Act to authorize an Increase in the Number of Major-Generals and Brigadier Generals for Forces in the Service of the United States.* March 2, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the four major-generals and nine brigadier-generals for the regular army, and the forty major-generals and two hundred brigadier-generals for the volunteer service, authorized by the existing laws, there may be appointed thirty major-generals and seventy-five brigadier-generals for forces in the service of the United States other than the regular army: *Provided,* That the officers to be appointed under this act shall be selected from those who have been conspicuous for gallant or meritorious conduct in the line of duty.

Increase of major-generals and brigadiers.

Selection.

APPROVED, March 2, 1863.

CHAP. LXIX. — *An Act to fix the Terms of the Circuit and District Courts in the Districts of Wisconsin and Iowa.* March 2, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, instead of the times heretofore fixed by law, the Circuit Court of the United States for the district of Wisconsin (after the January term, eighteen hundred and sixty-three) shall be held as follows: At Milwaukee on the third Monday in April and first Monday in July, and at Madison on the second Monday in November, and all writs, suits, pleas, recognizances, indictments, or other proceedings, civil or criminal, issued, commenced, or pending in said court, shall be returnable to, be entered, and have day in court, and be heard and tried according to the provisions of this act.

Courts in Wisconsin,

SEC. 2. *And be it further enacted,* That, instead of the times heretofore provided by law, the terms of the circuit and district courts for the district of Iowa, to be held at Des Moines, shall be held on the second Tuesday of May and third Tuesday in October in each year, and the fall term

in Iowa.

of the district court for said district, to be held at Dubuque, shall be held on the third Tuesday in November.

APPROVED, March 2, 1863.

March 2, 1863.
1861, ch. 59.

Ante, p. 172.
Colorado Territory.
Governor.

CHAP. LXX.—*An Act to amend an Act entitled "An Act to provide a Temporary Government for the Territory of Colorado."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of the act to which this act is an amendment be altered so as to read as follows: The executive power and authority in and over said Territory of Colorado shall be vested in a Governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The Governor shall reside within said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian Affairs; he may grant pardons for offences against the laws of said Territory, and reprieves for offences against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of said Territory, and shall take care that the laws be faithfully executed.

Veto power.

SEC. 2. *And be it further enacted,* That every bill which shall have passed the legislative assembly shall, before it become a law, be presented to the Governor of the Territory; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, who shall enter the objections at large on their journal and proceed to reconsider it. If, after such reconsideration, two thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and, if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the assembly, by adjournment, prevent its return, in which case it shall not be a law.

Judicial power.

SEC. 3. *And be it further enacted,* That section nine of the act to which this act is amendatory be altered so as to read as follows: Section 9. *And be it further enacted,* That the judicial power of said Territory

Supreme court.

shall be vested in a supreme court, district courts, probate courts, and justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually, and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a

District courts.

district court shall be held in each of said districts by one of the justices of the supreme court at such time and place as may be prescribed by law; and the said judges shall, after their appointments, respectively reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and

Justices of the peace.

of justices of the peace, shall be as limited by law: *Provided,* That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or when the debt or sum claimed shall exceed three hundred dollars; and the said probate court shall not have jurisdiction of any matter in controversy when the debt or sum claimed shall exceed the sum of two thousand dollars; and said supreme and district court shall have authority for redress of all wrongs committed against the constitution and laws of the United

States; and the said supreme, district, and probate court, respectively, shall possess chancery as well as common-law jurisdiction and authority for the redress of all wrongs committed against the laws of said Territory, affecting persons or property. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exceptions, and appeals shall be allowed from the final decisions of said district and probate courts to the supreme court, under such regulations as shall be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error, and appeals from the final decisions of said supreme court shall be allowed and may be taken to the supreme court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, when the value of the property, or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of said supreme and district courts shall have and exercise the same jurisdiction in all cases arising under the constitution and laws of the United States as is vested in the circuit and district courts of the United States; and the said supreme and district courts of said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are granted by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said constitution and laws; and writs of error and appeals in all such cases shall be made to the supreme court of said Territory the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the district courts of Oregon Territory received for similar services.

Probate courts
Chancery powers.
Clerks.
Writs of error, &c.
Trial by jury.
Clerks.
Appeals, &c., to supreme court of the United States.
Habeas corpus.
Precedence of trials.
Fees of clerks.

SEC. 4. *And be it further enacted,* That the provisions of sections one and two of this act shall be applicable to the Territory of Dakota, and shall have like effect as in the Territory of Colorado.

Part of act applicable to Dakota.
1861, ch. 86.
Ante, p. 239.

APPROVED, March 2, 1863.

CHAP. LXXI. — *An Act to amend the Laws relating to the Post-Office Department.*

March 3, 1863

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General shall have power to appoint and commission all postmasters whose salary or compensation for the preceding fiscal year shall at the time of such appointment have been ascertained to be less than one thousand dollars per year; and in all other cases the President shall appoint. The person appointed postmaster shall reside within the delivery of the office to which he shall be appointed.

Postmasters.
Appointment.
Residence.

SEC. 2. *And be it further enacted,* That the Postmaster-General, all postmasters, and special agents, and all persons employed in the General Post-Office, or in the care, custody, or conveyance of the mail, hereafter appointed or employed, shall, previous to entering upon the duties assigned to them, or the execution of their trusts, and before they shall be entitled to receive any emoluments therefor, in addition to the oath of office prescribed by the act of July two, eighteen hundred and sixty-two, respectively take and subscribe the following oath or affirmation before some magistrate, and cause a certificate thereof to be filed in the General Post-Office: "I, A. B., do swear (or affirm, as the case may be) that I will faithfully perform all the duties required of me, and abstain from every thing forbidden by the laws in relation to the establishment of the post-

All persons employed in post-office to take oath of office.
1862, ch. 128.
Ante, p. 502.
Form of oath.

office and post-roads within the United States ; and that I will honestly and truly account for and pay over any moneys belonging to the said United States which may come into my possession or control ; so help me God." Every person who shall be in any manner employed in the care, custody, conveyance or management of the mail, shall be subject to all pains, penalties, and forfeitures for violating the injunctions or neglecting the duties required of him by the laws relating to the establishment of the post-office and post-roads, whether such persons shall have taken the oath or affirmation above prescribed or not.

Persons not taking oath liable to penalties, etc.

Postage to be paid before delivery.
Box-rent to be prepaid.

SEC. 3. *And be it further enacted,* That no mail matter shall be delivered by the postmaster until the postage due thereon shall have been paid ; and no box at any post-office shall be assigned to the use of any person until the rent therefor has been paid for at least one quarter, for which the postmaster shall give a receipt, and keep a record thereof in his office, which record shall be delivered to his successor.

Postmasters to keep record of stamps, &c., sold, moneys received, &c.

SEC. 4. *And be it further enacted,* That every postmaster shall keep a record in his office of all postage stamps and envelopes, and of all postal books, blanks, or property received from his predecessor in office, or from the Post-Office Department, or from any of its agents, and also of all payments in money for postages, and all payments for box-rents, and of all other receipts on account of any part of the postal service, and of any other transactions which shall be required by the Postmaster-General, and these records shall be preserved and delivered over to his successor in office, and shall be at all times subject to examination of any special agent of the department.

Records to be delivered to successor.

Compensation for extra labor.

SEC. 5. *And be it further enacted,* That whenever, by reason of the presence of a military or naval force near any post-office, unusual business accrues thereat, the Postmaster-General is hereby required to make a special order allowing proportionately reasonable compensation to the postmaster, and for clerical service, during the period of such extraordinary business.

Postmasters to make returns quarterly of emoluments, &c.

SEC. 6. *And be it further enacted,* That it shall be the duty of postmasters to render a quarter-yearly account to the Postmaster-General, under oath, in such form as the latter shall prescribe, of all emoluments or sums by them respectively received for boxes or pigeon-holes, or other receptacles for letters or papers, and by them charged for to individuals ; or for the delivery of letters or papers at or from any place whatever ; and of all emoluments, receipts, and profits that have come to their hands by reason of keeping branch post-offices ; and no postmaster shall hereafter, under any pretence whatever, have or receive or retain for himself, in the aggregate, more than the amount of his salary. And the Postmaster-General is further authorized to require, by a form to be prepared by him, a sworn statement to accompany or following the quarterly account of any or all postmasters, to the effect that such postmaster has in such account truly stated the entire amount of postages, box-rents, and all other charges and emoluments collected or received by him at his office during such quarter ; and that he has not knowingly delivered, or permitted to be delivered, to any person any mail matter on which the postage had not been paid at the time of delivery ; and that such quarterly account exhibits truly and faithfully the entire receipts of his office which have been collected thereat, and the entire sum which could have been by due diligence collected thereat, as he verily believes ; and that the credits he claims are just and true, as he verily believes ; and any false swearing therein shall render him liable to the pains and penalties of perjury.

Not to retain more than salary.

Sworn statement, form of.

Perjury.

Dead letters.

SEC. 7. *And be it further enacted,* That the Postmaster-General is hereby authorized to regulate the periods during which undelivered letters shall remain in any post-office, and the times such letters shall be returned to the dead-letter office, and to make regulations for their return to the writers from the dead-letter office, when he is satisfied they cannot be

delivered to the parties addressed. He is authorized also to order the publication of the list of non-delivered letters at any post-office, in his discretion, by writing, posted in a public place or places, or in any daily or weekly newspaper regularly published within the post-office delivery having the largest circulation within such delivery; and where no daily paper is published within the post-office delivery, such list may be published in any daily newspaper of an adjoining delivery having the largest circulation within the delivery of the post-office publishing [the] list; but in no case shall compensation for such publication be allowed at a rate exceeding one cent for each letter so advertised; and no such publication shall be required except where the Postmaster-General shall decide that the public interest requires it: *Provided*, That letters addressed to parties foreign born may be published in a journal of the language most used by the parties addressed, if such be published in the same, or an adjoining delivery.

Lists of non-delivered letters posted or published.

Pay for publication.

Foreign languages.

SEC. 8. *And be it further enacted*, That dead letters containing valuable enclosures shall be registered in the department; and when it appears that they can neither be delivered to their address, nor to the writers, the contents thereof, so far as available, shall be included with the receipts of the Post-Office Department, and the amount thereof shall be shown in the annual report, and shall be subject to reclamation by either the party addressed, or by the sender, for four years from registry thereof, careful account being kept of the same. All other letters deemed of value or of importance to the party addressed, or to the writer, and which it appears cannot be returned to either destination, shall be disposed of as the Postmaster-General shall direct.

Dead letters with valuables to be registered.

Disposal of their contents.

SEC. 9. *And be it further enacted*, That the Postmaster-General may provide by regulation for the disposition, for the benefit of the Department, of printed matter which remains in any post-office, or in the Department, not called for by the party addressed; but the postmaster shall notify the publisher of any newspaper or periodical of the fact when any subscriber shall refuse to take the same from the office, or shall neglect to call for the same for the period of one month, which notice may be sent free under regulation to be provided by the Postmaster-General.

Printed matter not called for, how disposed of.

Notice to publishers.

SEC. 10. *And be it further enacted*, That the action of the Post-Office Department respecting foreign dead letters shall be subject to conventional stipulations with the respective foreign administrations.

Foreign dead letters.

SEC. 11. *And be it further enacted*, That letter-carriers shall be employed at such post-offices as the Postmaster-General shall direct for the delivery of letters in the places respectively where such post-offices are established; and for their services they shall severally receive a salary, to be prescribed by the Postmaster-General, not exceeding eight hundred dollars per year: *Provided*, That, on satisfactory evidence of their diligence, fidelity, and experience as carriers, the Postmaster-General may increase their respective salaries from time to time to any sum not exceeding one thousand dollars, at offices where the income from postages on the local letters shall yield a sum more than sufficient to pay all expenses of the carrier system at such offices; each of the said carriers shall give bond, with sureties, to be approved by the Postmaster-General, for the safe custody and delivery of all letters, packets, and moneys received by him.

Letter-carriers.

Pay.

Bond.

SEC. 12. *And be it further enacted*, That whenever the Postmaster-General shall have perfected the carrier system in any postal district so as, in his judgment, to justify him therein, he is authorized to make delivery, within any prescribed postal district, of mail matter by letter-carriers, as frequently as the public convenience in such district shall require, and shall make all proper regulations for that purpose.

Frequent delivery by carriers.

SEC. 13. *And be it further enacted*, That the Postmaster-General is authorized, when, in his judgment, the public interest or convenience may

Branch offices. *Ante*, pp. 379, 380.

Receiving-boxes, &c., may be established.

Salary, &c., of branch officer.

Sale of stamps.

Expenses of letter-carriers, &c., to be kept distinct.

How to be paid.

Publishers of newspapers, &c., may contract for delivery thereof by postal-carriers.

Delivery of packets, &c.

Prepayment.

Packages by mail not to weigh over four pounds, except, &c.

Mail-matter to be prepaid by stamps.

Domestic letters.

Transient printed matter.

Seeds, pamphlets, books, &c.

Other things.

Certain matter to be prepaid quarterly.

Daily, &c., publications.

Division of mail-matter.

require it, to establish one or more branch post-offices, and also pillar boxes, or other receiving-boxes, for the safe deposit of matter for the mails and for delivery; and in case of such establishment of a branch office, the person in charge thereof shall be appointed, and his salary fixed, as in the case of a letter-carrier, and the like bond required: *Provided*, That the post officer in charge of the branch office may also be a depository for the sale of stamps, to be delivered to him for that purpose by the postmaster of that postal district in sums not at any time to exceed one half of the penalty of his bond.

SEC. 14. *And be it further enacted*, That all expenses for the letter-carriers, branch offices, and receiving boxes, or incident thereto, shall be entered and reported in a separate account from the ordinary postal expenses of such post-office, and shall be shown in comparison with the proceeds of the postages on local mail matter at each office, in order that the Postmaster-General may be guided in the expenditures for that branch of the postal service by the income derived therefrom; and all such expenses shall be paid out of the income of the post-office at the district in which they are incurred.

SEC. 15. *And be it further enacted*, That the postmaster of any office where letter-carriers are employed may contract with the publishers of any newspapers or periodicals, and with the publishers of any circulars, for the delivery by postal-carriers, within his postal district, of any such publications not coming through the mails, at rates and upon terms to be agreed upon, such arrangement and terms being equally open to all like publishers; but such contract shall have no force or effect until approved by the Postmaster-General. The Postmaster-General may also provide by regulation for the delivery by such carriers of small packets other than letters or papers, and not exceeding the maximum weight of mailable packages; but such packages must be prepaid by postage stamps at the rate of two cents for each four ounces or fraction thereof.

SEC. 16. *And be it further enacted*, That no postmaster shall receive to be conveyed by the mail any packet or package which shall weigh more than four pounds, except books published or circulated by order of Congress.

SEC. 17. *And be it further enacted*, That upon the following mailable matter the postage must be prepaid at the time of mailing, by stamps, unless otherwise expressly provided in this act:—

First. Upon all domestic letters, whether passing through the mails, or collected, or delivered by postal agents or carriers.

Second. On all transient printed matter.

Third. On all seeds, cuttings, bulbs, roots, and scions; all pamphlets, books, book manuscripts, and proof-sheets, maps, prints, engravings, blanks, flexible patterns, samples, and sample cards, phonographic paper, letter envelopes, postal envelopes, paper, and photographic representations of different types.

Fourth. Upon all other things in the mail not otherwise herein provided for.

SEC. 18. *And be it further enacted*, That upon the following mailable matter the postage shall be paid before delivery for not less than one quarter nor more than one year; and such payment for a term may be made either at the mailing office or at the office of delivery. If the term commences at any other time than at the beginning of a quarter, such payment must be made to cover such fractional quarter, and also for the next following quarter; otherwise the postage shall be collected thereon as on transient matter. Upon regular weekly, tri-weekly, semi-weekly, and daily publications, and all other regular publications, issued from a known office of publication at stated periods and sent to regular subscribers.

SEC. 19. *And be it further enacted*, That mailable matter shall be di-

vided into three classes, namely: first, letters; second, regular printed matter; third, miscellaneous matter.

SEC. 20. *And be it further enacted*, That the first class embraces all correspondence, wholly or partly in writing, except that mentioned in the third class. The second class embraces all mailable matter exclusively in print, and regularly issued at stated periods, without addition by writing, mark, or sign. The third class embraces all other matter which is or may hereafter be by law declared mailable; embracing all pamphlets, occasional publications, books, book manuscripts, and proof sheets, whether corrected or not, maps, prints, engravings, blanks, flexible patterns, samples and sample cards, phonographic paper, letter envelopes, postal envelopes, or wrappers, cards, paper, plain or ornamental, photographic representations of different types, seeds, cuttings, bulbs, roots, and scions.

First class.
Second class.
Third class.

SEC. 21. *And be it further enacted*, That the maximum standard weight for the single rate of letter postage is one half ounce avoirdupois.

Weight and rate of single letter postage.

SEC. 22. *And be it further enacted*, That the rate of postage on all domestic letters transmitted in the mails of the United States, and not exceeding one half ounce in weight, shall be uniform at three cents; and for each half ounce, or fraction thereof of additional weight, there shall be charged an additional rate of three cents, to be in all cases prepaid by postage stamps plainly affixed to such letter.

Prepayment.

SEC. 23. *And be it further enacted*, That the rate of postage on all letters not transmitted through the mails of the United States, but delivered through the post-office or its carriers, commonly described as local or drop letters, and not exceeding one half ounce in weight, shall be uniform at two cents, and an additional rate for each half ounce or fraction thereof of additional weight, to be in all cases prepaid by postage stamps affixed to the envelope of such letter, but no extra postage or carrier's fee shall hereafter be charged or collected upon letters delivered by carriers, nor upon letters collected by them for mailing or for delivery.

Drop letters.

No carrier's fee.

SEC. 24. *And be it further enacted*, That the domestic letter rate of postage is established for all mailable matter which is wholly or partly in writing, or is so marked as to convey any other or further intelligence or information than is conveyed by the original print in case of printed matter, or which is sent in violation of law or regulations of the department touching the enclosure of matter which may be sent at less than letter rates, and for all matter introduced into the mails for which no different rate is provided by law: *Provided*, That book manuscripts and corrected proofs passing between authors and publishers may pass at the rate of printed matter: *And provided further*, That publishers of newspapers and periodicals may print or write upon their publications sent to regular subscribers the address of subscribers and the date when the subscription expires, and may enclose therewith receipts for payment and bills for subscription thereto.

Letter postage to include what.

Proofs.

Address of subscribers may be written or printed.

SEC. 25. *And be it further enacted*, That on all matter not enumerated as mailable matter, and to which no specific rates of postage are assigned, and which shall nevertheless be mailed, the rate, if the same shall be forwarded, is established at the rate of letter postage.

Matter not enumerated to be treated as letter postage.

SEC. 26. *And be it further enacted*, That if any matter on which by law the postage is required to be prepaid at the mailing office shall reach its destination without such prepayment, double the prepaid rates shall be charged and collected on delivery.

Matter not prepaid to be charged double on delivery.

SEC. 27. *And be it further enacted*, That the Postmaster-General is authorized to provide by uniform regulation for transmitting unpaid and duly certified letters of soldiers, sailors, and marines in the service of the United States to destination; and all other letters which from accident or neglect appear to have been deposited for mailing without prepayment of postage, where, in the latter class, the writer is not known, or cannot be promptly advised of his default; but in all cases of letters not prepaid,

Soldiers' letters, &c.

Letters not prepaid by accident.

except certified soldiers^s and naval letters, the same shall be charged with double rates of postage, to be collected on delivery.

Letters, when
may be returned
to writers.

SEC. 28. *And be it further enacted*, That when any writer of a letter on which the postage is prepaid shall indorse in writing or in print upon the outside thereof his name and address, with a request that the same be returned to him if not called for or delivered within any number of days, (not to exceed thirty days,) any such letter shall not be advertised nor treated as a dead letter at the office addressed, but shall be returned as requested, charged with the proper postage at the prepaid rate, to be collected on the return delivery; and if not then delivered, shall be treated as a dead letter.

Postage on
dead letters.

SEC. 29. *And be it further enacted*, That the postage on returned dead letters, not registered as valuable, shall be three cents for the single rate; on returned dead letters, registered as valuable, double rates shall be charged.

Forwarding
of letters.

SEC. 30. *And be it further enacted*, That all letters directed to any person not found at the office addressed may be forwarded to any other office where he may be found, with additional charge of postage therefor.

Ship, &c., let-
ters.

SEC. 31. *And be it further enacted*, That the Postmaster-General shall have authority to pay, or cause to be paid, a sum not exceeding two cents each for all letters conveyed in any vessel or steamboat, not employed in carrying the mail, from one port or place to any other port or place in the United States, or from any foreign port to any port within the United States, subject to such regulations as the Postmaster-General may prescribe, but all such letters shall be deposited in the post-office at the port of arrival, for mailing or delivery; and if for delivery within the United States shall be rated with double rates of postage, which shall cover the fee paid to the vessel; no fees shall be allowed for letters collected by a carrier on a mail route.

Registration of
valuable letters.

SEC. 32. *And be it further enacted*, That, for the greater security of valuable letters posted for transmission in the mails of the United States, the Postmaster-General is authorized to establish a uniform plan for the registration of such letters on application of parties posting the same, and to require the payment of the postage, as well as a registration fee not exceeding twenty cents, on every such letter or packet, to be accounted for by postmasters receiving the same in such manner as the Postmaster-General shall direct: *Provided, however*, That such registration shall not be compulsory, and it shall not render the Post-Office Department or its revenue liable for the loss of such letters or packets, or the contents thereof; and provision shall be made by regulation for a return receipt to the writer, showing to whom and when such registered letter was delivered, which receipt shall be received in the courts as *primâ facie* evidence of such delivery.

Fees.

Department not
made liable.

Maximum of
single rate of
printed matter.

SEC. 33. *And be it further enacted*, That the maximum standard weight for the single rate of postage on matter classed as printed matter, and also on that classed as miscellaneous matter, is four ounces avoirdupois, subject to the exception in the next following section provided.

Postage on
transient matter.

SEC. 34. *And be it further enacted*, That the rate of postage on transient mailable matter of the second class, and also on all miscellaneous mailable matter of the third class, (except circulars and books,) shall be two cents for each four ounces or fraction thereof contained in any one package to one address; and such postage shall in all cases be fully prepaid by stamps, plainly affixed to the wrapper thereof. Double these rates shall be charged for books. Unsealed circulars not exceeding three in number shall pass at the single rate of two cents, and in that proportion for a greater number, adding one rate for three circulars, or less number thereof, directed to one address. No extra postage shall be charged for a card printed or impressed upon an envelope or wrapper. These rates must in all cases be prepaid by stamps.

To be prepaid
by stamps.

SEC. 35. *And be it further enacted,* That the rate of postage upon mailable matter of the second class, issued once a week or more frequently from a known office of publication, and sent to regular subscribers, shall be as follows: Upon newspapers and other periodical publications, each not exceeding the standard weight of four ounces, and passing through the mails or post-offices of the United States between any points therein, the rate for each quarter of the year shall be: for publications issued once a week, five cents; issued twice a week, ten cents; issued three times a week, fifteen cents; issued six times a week, thirty cents; issued seven times a week, thirty-five cents; and in that proportion, adding one rate for each issue more frequent than once a week. For weight exceeding four ounces, and not exceeding eight ounces, an additional rate shall be charged; and on the same scale, an additional rate for each additional weight of four ounces or fraction thereof; and such postage must be prepaid for a term not less than one quarter nor more than one year, at either the office of mailing or of delivery, at the option of the subscriber, of which payments a record shall be made and preserved in the post-office where paid; and no such publication shall be delivered from the office until such payment is made; but the publishers of weekly newspapers may send to each actual subscriber within the county where their papers are printed and published one copy thereof free of postage.

Postage on matter of second class.

Newspapers, &c.

Over four ounces in weight.

Prepayment.

Newspapers within the county to be free.

SEC. 36. *And be it further enacted,* That the rate of postage upon mailable matter of the second class, issued less frequently than once a week, from a known office of publication, and sent to regular subscribers, shall be as follows: Upon newspapers, magazines, and other periodical publications, each not exceeding the standard weight of four ounces, and passing through the mails or post-offices of the United States between any points therein, the rate for each such paper or periodical shall be one cent, and an additional rate of one cent for each additional weight of four ounces or fraction thereof: *Provided,* That the Postmaster-General may provide by regulation for the transportation of small newspapers in packages at the same rate by the standard weight of the package when sent to one address; and the rates herein provided must be prepaid at either the office of mailing or of delivery, at the option of the subscriber, for a term not less than one quarter nor more than one year, except that news-dealers may pay the postage upon their packages as received at the same rates pro rata as yearly or semi-annual subscribers who pay postage quarterly in advance.

Postage on periodicals issued less than once a week.

Packages.

SEC. 37. *And be it further enacted,* That publishers may enclose in their publications sent to regular subscribers the bills for subscription thereto without any additional charge for postage, and may write or print upon their publications, or upon the wrappers thereof, the name and address of the subscribers thereto, and the date when the subscription will expire; but any other enclosure or addition in writing or in print shall subject the same to letter postage, which shall be collected before delivery thereof.

Subscription bills may be enclosed.

SEC. 38. *And be it further enacted,* That the Postmaster-General may from time to time provide by order the rates and terms upon which route agents may receive and deliver at the mail car or steamer packages of newspapers and periodicals delivered to them for that purpose by the publishers, or any news-agent in charge thereof, and not received from, nor designed for delivery at any post-office.

Delivery by route agents.

SEC. 39. *And be it further enacted,* That the Postmaster-General has authority to prescribe by regulation the manner of wrapping and securing for the mails all matter not charged with letter postage nor lawfully franked, so that the same may be conveniently examined by postmasters; and if not so wrapped and secured, the same shall be subject to letter postage. He may also provide by regulation for ascertaining by furnished lists, by affidavit or otherwise, whether publishers send or have sent their

Wrappers of mail matter.

publications unpaid through the mails to other than their regular subscribers.

Postmasters may remove wrappers, &c.

SEC. 40. *And be it further enacted*, That postmasters, at the office of delivery, are authorized, and it shall be their duty, to remove the wrappers and envelopes from printed and other matter not charged with letter postage, nor lawfully franked, for the purpose of ascertaining whether there is upon, or connected with, any such printed matter or in such package any matter or thing which would authorize or require the charge of a higher rate of postage thereon.

Publishers may be required to make affidavit, &c.

SEC. 41. *And be it further enacted*, That the Postmaster-General may require an affidavit in form, to be prescribed by general regulation, to be taken by any publisher, or any clerk, agent, or servant of such publisher of any paper or periodical, which, by the terms of this act, may be sent to regular subscribers without prepayment of postage at the mailing office, to the effect that neither he nor any other proprietor, clerk, agent, or employé, within his knowledge, has sent, or caused or permitted to be sent, through the mails, without prepayment by postage stamps, any copies of such paper or periodical, (naming it,) except the same were sent to bona fide and regular subscribers thereto. And if it be ascertained that such papers or periodicals have been thus unlawfully sent, with the knowledge or consent of such proprietors, or of the agent or clerk in charge of that business, or if such affidavit, when required by the Postmaster-General, or by a special agent of the Post-Office Department, shall be refused, the person guilty of such offence, or refusing such oath, shall be liable to a fine of fifty dollars in each case, to be recovered by suit before any court of competent jurisdiction, one half of which when recovered shall be paid to the informer.

Penalty for sending to others than subscribers, &c.

One half to informer.

Franking privilege.

SEC. 42. *And be it further enacted*, That authority to frank mail matter is conferred upon and limited to the following persons. First. The President of the United States, by himself or his private secretary. Second. The Vice-President of the United States. Third. The chiefs of the several executive departments. Fourth. Such principal officers, being heads of bureaus or chief clerks, of each executive department, to be used only for official communications, as the Postmaster-General shall by regulation prescribe. Fifth. Senators and representatives in the Congress of the United States, including delegates from territories, the secretary of the senate and clerk of the House of Representatives; to cover correspondence to and from them, and all printed matter issued by authority of Congress, and all speeches, proceedings, and debates in Congress, and all printed matter sent to them; their franking privilege to commence with the term for which they are elected and to expire on the first Monday of December following such term of office. Sixth. All official communications addressed to either of the executive departments of Government by an officer responsible to that department: *Provided*, That in all such cases the envelope shall be marked "official," with the signature thereto of the officer writing the communication. Seventh. Postmasters have also the franking privilege for their official communications to other postmasters: *Provided*, That in all such cases the envelope shall be marked "official" with the signature of the writer thereto, and for any and every such endorsement of "official" falsely made the person making the same shall forfeit and pay three hundred dollars. Eighth. Petitions to either branch of Congress shall pass free in the mails. Ninth. All communications addressed to any of the franking officers above described, and not excepted in the foregoing clauses, must be prepaid by postage stamps. The franking privilege hereinbefore granted shall be limited to packages weighing not exceeding four ounces, except petitions to Congress and congressional or executive documents, and such publications or books as have or may be published, procured, or purchased by order of either House of Congress, or a joint resolution of the two Houses, which

Envelopes, how marked.

Penalty for false marking.

Limit in weight. Except, &c.

shall be considered as public documents, and entitled to be franked as such; and except also seeds, cuttings, roots, and scions, the weight of the packages of which may be fixed by regulation of the Postmaster-General. Weight of packages of seeds.

SEC. 43. *And be it further enacted*, That all publishers of periodicals, magazines, and newspapers which shall not exceed sixteen ounces in weight shall be allowed to interchange their publications reciprocally free of postage: *Provided*, That such interchange shall be confined to a single copy of each publication. Publishers may interchange free except, &c.

SEC. 44. *And be it further enacted*, That this act shall be in force and take effect from and after the thirtieth day of June, eighteen hundred and sixty-three. When act to take effect.

SEC. 45. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed. Repealing clause.

APPROVED, March 3, 1863.

CHAP. LXXII. — *An Act to disapprove of the twenty-sixth Section of the Act of the Legislative Assembly of the Territory of Nevada, and for other Purposes.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section twenty-six of an act of the Legislative Assembly of the Territory of Nevada entitled "An act to provide for the formation of corporations for certain purposes," approved December twenty, eighteen hundred and sixty-two, said section being as follows: "Section 26. All corporations heretofore formed under the provisions of acts of incorporation in other States or Territories, and holding or owning property within this Territory of such character as specified in section first of this act, and managed by a board or boards of trustees or directors, and having their principal place of business outside the limits of this Territory, are hereby required to remove their places of business, principal offices, books, and papers, heretofore kept, or necessary for the transaction of such business, to some point to be designated by said corporation, within the limits of this Territory, within six months after the passage of this act, or otherwise such corporation or corporations shall be disregarded in law as a corporation, and the corporators or stockholders thereof be treated as tenants in common, or joint owners of such property so owned or held within this Territory. Any corporation, by filing and recording its certificate of incorporation, or a certified copy thereof, with the secretary of the Territory, and with the clerk of the county in which such corporation may locate as the principal place of business, and fully complying with all the provisions of this act, shall be deemed sufficient to entitle such corporation to all the rights and privileges under the provisions of this act," be and the same is hereby disapproved, and the same is hereby annulled and made void. Law of Nevada Territory respecting corporations disapproved.

SEC. 2. *And be it further enacted*, That all incorporated companies, duly organized within any state or territory of the United States, may sue and be sued, plead and be impleaded, in the several courts of the Territory of Nevada, anything in the laws of said Territory to the contrary notwithstanding. Corporations in Nevada may sue, &c.

APPROVED, March 3, 1863.

CHAP. LXXIII. — *An Act to provide Ways and Means for the Support of the Government.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to borrow, from time to time, on the credit of the United States, a sum not exceeding three hundred millions of dollars for the current fiscal year, and six hundred millions for the The Secretary of Treasury may borrow not over \$300,000,000 for this year, and \$600,000,000 for the next.

Bonds. next fiscal year, and to issue therefor coupon or registered bonds, payable at the pleasure of the Government after such periods as may be fixed by the Secretary, not less than ten nor more than forty years from date, in coin, and of such denominations not less than fifty dollars as he may deem expedient, bearing interest at a rate not exceeding six per centum per annum, payable on bonds not exceeding one hundred dollars, annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

Denominations. in coin, and of such denominations not less than fifty dollars as he may deem expedient, bearing interest at a rate not exceeding six per centum per annum, payable on bonds not exceeding one hundred dollars, annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

Interest on, rate of, and payable in coin. interest at a rate not exceeding six per centum per annum, payable on bonds not exceeding one hundred dollars, annually, and on all other bonds semi-annually, in coin; and he may, in his discretion, dispose of such bonds at any time, upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

Bonds may be disposed of. upon such terms as he may deem most advisable, for lawful money of the United States, or for any of the certificates of indebtedness or deposit that may at any time be unpaid, or for any of the treasury notes heretofore issued or which may be issued under the provisions of this act. And all the bonds and treasury notes or United States notes issued under the provisions of this act shall be exempt from taxation by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

To be exempt from taxation. by or under state or municipal authority: *Provided*, That there shall be outstanding of bonds, treasury notes, and United States notes, at any time, issued under the provisions of this act, no greater amount altogether than the sum of nine hundred millions of dollars.

Amount outstanding not to exceed \$900,000,000. no greater amount altogether than the sum of nine hundred millions of dollars.

Secretary may issue \$400,000,000 in treasury notes. **SEC. 2.** *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized to issue, on the credit of the United States, four hundred millions of dollars in treasury notes, payable at the pleasure of the United States, or at such time or times not exceeding three years from date as may be found most beneficial to the public interests, and bearing interest at a rate not exceeding six per centum per annum, payable at periods expressed on the face of said treasury notes; and the interest on the said treasury notes and on certificates of indebtedness and deposit hereafter issued, shall be paid in lawful money. The treasury notes thus issued shall be of such denomination as the Secretary may direct, not less than ten dollars, and may be disposed of on the best terms that can be obtained, or may be paid to any creditor of the United States willing to receive the same at par. And said treasury notes may be made a legal tender to the same extent as United States notes, for their face value excluding interest; or they may be made exchangeable under regulations prescribed by the Secretary of the Treasury, by the holder thereof at the treasury in the city of Washington, or at the office of any assistant treasurer or depository designated for that purpose, for United States notes equal in amount to the treasury notes offered for exchange, together with the interest accrued and due thereon at the date of interest payment next preceding such exchange. And in lieu of any amount of said treasury notes thus exchanged, or redeemed or paid at maturity, the Secretary may issue an equal amount of other treasury notes; and the treasury notes so exchanged, redeemed, or paid, shall be cancelled and destroyed as the Secretary may direct. In order to secure certain and prompt exchanges of United States notes for treasury notes when required as above provided, the Secretary shall have power to issue United States notes to the amount of one hundred and fifty millions of dollars, which may be used if necessary for such exchanges; but no part of the United States notes authorized by this section shall be issued for or applied to any other purposes than said exchanges; and whenever any amount shall have been so issued and applied, the same shall be replaced as soon as practicable from the sales of treasury notes for United States notes.

When payable, and rate of interest. interest at a rate not exceeding six per centum per annum, payable at periods expressed on the face of said treasury notes; and the interest on the said treasury notes and on certificates of indebtedness and deposit hereafter issued, shall be paid in lawful money. The treasury notes thus issued shall be of such denomination as the Secretary may direct, not less than ten dollars, and may be disposed of on the best terms that can be obtained, or may be paid to any creditor of the United States willing to receive the same at par. And said treasury notes may be made a legal tender to the same extent as United States notes, for their face value excluding interest; or they may be made exchangeable under regulations prescribed by the Secretary of the Treasury, by the holder thereof at the treasury in the city of Washington, or at the office of any assistant treasurer or depository designated for that purpose, for United States notes equal in amount to the treasury notes offered for exchange, together with the interest accrued and due thereon at the date of interest payment next preceding such exchange. And in lieu of any amount of said treasury notes thus exchanged, or redeemed or paid at maturity, the Secretary may issue an equal amount of other treasury notes; and the treasury notes so exchanged, redeemed, or paid, shall be cancelled and destroyed as the Secretary may direct. In order to secure certain and prompt exchanges of United States notes for treasury notes when required as above provided, the Secretary shall have power to issue United States notes to the amount of one hundred and fifty millions of dollars, which may be used if necessary for such exchanges; but no part of the United States notes authorized by this section shall be issued for or applied to any other purposes than said exchanges; and whenever any amount shall have been so issued and applied, the same shall be replaced as soon as practicable from the sales of treasury notes for United States notes.

Interest payable in lawful money. interest at a rate not exceeding six per centum per annum, payable at periods expressed on the face of said treasury notes; and the interest on the said treasury notes and on certificates of indebtedness and deposit hereafter issued, shall be paid in lawful money. The treasury notes thus issued shall be of such denomination as the Secretary may direct, not less than ten dollars, and may be disposed of on the best terms that can be obtained, or may be paid to any creditor of the United States willing to receive the same at par. And said treasury notes may be made a legal tender to the same extent as United States notes, for their face value excluding interest; or they may be made exchangeable under regulations prescribed by the Secretary of the Treasury, by the holder thereof at the treasury in the city of Washington, or at the office of any assistant treasurer or depository designated for that purpose, for United States notes equal in amount to the treasury notes offered for exchange, together with the interest accrued and due thereon at the date of interest payment next preceding such exchange. And in lieu of any amount of said treasury notes thus exchanged, or redeemed or paid at maturity, the Secretary may issue an equal amount of other treasury notes; and the treasury notes so exchanged, redeemed, or paid, shall be cancelled and destroyed as the Secretary may direct. In order to secure certain and prompt exchanges of United States notes for treasury notes when required as above provided, the Secretary shall have power to issue United States notes to the amount of one hundred and fifty millions of dollars, which may be used if necessary for such exchanges; but no part of the United States notes authorized by this section shall be issued for or applied to any other purposes than said exchanges; and whenever any amount shall have been so issued and applied, the same shall be replaced as soon as practicable from the sales of treasury notes for United States notes.

Denominations, and how disposed of. not less than ten dollars, and may be disposed of on the best terms that can be obtained, or may be paid to any creditor of the United States willing to receive the same at par. And said treasury notes may be made a legal tender to the same extent as United States notes, for their face value excluding interest; or they may be made exchangeable under regulations prescribed by the Secretary of the Treasury, by the holder thereof at the treasury in the city of Washington, or at the office of any assistant treasurer or depository designated for that purpose, for United States notes equal in amount to the treasury notes offered for exchange, together with the interest accrued and due thereon at the date of interest payment next preceding such exchange. And in lieu of any amount of said treasury notes thus exchanged, or redeemed or paid at maturity, the Secretary may issue an equal amount of other treasury notes; and the treasury notes so exchanged, redeemed, or paid, shall be cancelled and destroyed as the Secretary may direct. In order to secure certain and prompt exchanges of United States notes for treasury notes when required as above provided, the Secretary shall have power to issue United States notes to the amount of one hundred and fifty millions of dollars, which may be used if necessary for such exchanges; but no part of the United States notes authorized by this section shall be issued for or applied to any other purposes than said exchanges; and whenever any amount shall have been so issued and applied, the same shall be replaced as soon as practicable from the sales of treasury notes for United States notes.

How a legal tender, &c. to the same extent as United States notes, for their face value excluding interest; or they may be made exchangeable under regulations prescribed by the Secretary of the Treasury, by the holder thereof at the treasury in the city of Washington, or at the office of any assistant treasurer or depository designated for that purpose, for United States notes equal in amount to the treasury notes offered for exchange, together with the interest accrued and due thereon at the date of interest payment next preceding such exchange. And in lieu of any amount of said treasury notes thus exchanged, or redeemed or paid at maturity, the Secretary may issue an equal amount of other treasury notes; and the treasury notes so exchanged, redeemed, or paid, shall be cancelled and destroyed as the Secretary may direct. In order to secure certain and prompt exchanges of United States notes for treasury notes when required as above provided, the Secretary shall have power to issue United States notes to the amount of one hundred and fifty millions of dollars, which may be used if necessary for such exchanges; but no part of the United States notes authorized by this section shall be issued for or applied to any other purposes than said exchanges; and whenever any amount shall have been so issued and applied, the same shall be replaced as soon as practicable from the sales of treasury notes for United States notes.

For what exchangeable. exchangeable under regulations prescribed by the Secretary of the Treasury, by the holder thereof at the treasury in the city of Washington, or at the office of any assistant treasurer or depository designated for that purpose, for United States notes equal in amount to the treasury notes offered for exchange, together with the interest accrued and due thereon at the date of interest payment next preceding such exchange. And in lieu of any amount of said treasury notes thus exchanged, or redeemed or paid at maturity, the Secretary may issue an equal amount of other treasury notes; and the treasury notes so exchanged, redeemed, or paid, shall be cancelled and destroyed as the Secretary may direct. In order to secure certain and prompt exchanges of United States notes for treasury notes when required as above provided, the Secretary shall have power to issue United States notes to the amount of one hundred and fifty millions of dollars, which may be used if necessary for such exchanges; but no part of the United States notes authorized by this section shall be issued for or applied to any other purposes than said exchanges; and whenever any amount shall have been so issued and applied, the same shall be replaced as soon as practicable from the sales of treasury notes for United States notes.

Other notes may be issued for those exchanged. an equal amount of other treasury notes; and the treasury notes so exchanged, redeemed, or paid, shall be cancelled and destroyed as the Secretary may direct. In order to secure certain and prompt exchanges of United States notes for treasury notes when required as above provided, the Secretary shall have power to issue United States notes to the amount of one hundred and fifty millions of dollars, which may be used if necessary for such exchanges; but no part of the United States notes authorized by this section shall be issued for or applied to any other purposes than said exchanges; and whenever any amount shall have been so issued and applied, the same shall be replaced as soon as practicable from the sales of treasury notes for United States notes.

\$150,000,000 of notes may be issued for exchanges. which may be used if necessary for such exchanges; but no part of the United States notes authorized by this section shall be issued for or applied to any other purposes than said exchanges; and whenever any amount shall have been so issued and applied, the same shall be replaced as soon as practicable from the sales of treasury notes for United States notes.

When issued and applied, how replaced. the same shall be replaced as soon as practicable from the sales of treasury notes for United States notes.

The Secretary, if necessary to pay the army, &c., may issue \$150,000,000 in notes without interest. **SEC. 3.** *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby, authorized, if required by the exigencies of the public service, for the payment of the army and navy, and other creditors of the government, to issue on the credit of the United States the sum of one hundred and fifty millions of dollars of United States notes, including the amount of such notes heretofore authorized by the joint resolution approved January seventeen, eighteen hundred and sixty-

three, in such form as he may deem expedient, not bearing interest, payable to bearer, and of such denominations, not less than one dollar, as he may prescribe, which notes so issued shall be lawful money and a legal tender in payment of all debts, public and private, within the United States, except for duties on imports and interest on the public debt; and any of the said notes, when returned to the treasury, may be reissued from time to time as the exigencies of the public service may require. And in lieu of any of said notes, or any other United States notes, returned to the treasury, and cancelled or destroyed, there may be issued equal amounts of United States notes, such as are authorized by this act. And so much of the act to authorize the issue of United States notes, and for other purposes, approved February twenty-five, eighteen hundred and sixty-two, and of the act to authorize an additional issue of United States notes, and for other purposes, approved July eleven, eighteen hundred and sixty-two, as restricts the negotiation of bonds to market value, is hereby repealed. And the holders of United States notes, issued under and by virtue of said acts, shall present the same for the purpose of exchanging the same for bonds, as therein provided, on or before the first day of July, eighteen hundred and sixty-three, and thereafter the right so to exchange the same shall cease and determine.

SEC. 4. *And be it further enacted,* That in lieu of postage and revenue stamps for fractional currency, and of fractional notes, commonly called postage currency, issued or to be issued, the Secretary of the Treasury may issue fractional notes of like amounts in such form as he may deem expedient, and may provide for the engraving, preparation, and issue thereof in the treasury department building. And all such notes issued shall be exchangeable by the assistant-treasurers and designated depositaries for United States notes, in sums not less than three dollars, and shall be receivable for postage and revenue stamps, and also in payment of any dues to the United States less than five dollars, except duties on imports, and shall be redeemed on presentation at the treasury of the United States in such sums and under such regulations as the Secretary of the Treasury shall prescribe: *Provided,* That the whole amount of fractional currency issued, including postage and revenue stamps issued as currency, shall not exceed fifty millions of dollars.

SEC. 5. *And be it further enacted,* That the Secretary of the Treasury is hereby authorized to receive deposits of gold coin and bullion with the treasurer or any assistant-treasurer of the United States, in sums not less than twenty dollars, and to issue certificates therefor, in denominations of not less than twenty dollars each, corresponding with the denominations of the United States notes. The coin and bullion deposited for or representing the certificates of deposit shall be retained in the treasury for the payment of the same on demand. And certificates representing coin in the treasury may be issued in payment of interest on the public debt, which certificates, together with those issued for coin and bullion deposited, shall not at any time exceed twenty per centum beyond the amount of coin and bullion in the treasury; and the certificates for coin or bullion in the treasury shall be received at par in payment for duties on imports.

SEC. 6. *And be it further enacted,* That the coupon or registered bonds, treasury notes, and United States notes authorized by this act shall be in such form as the Secretary of the Treasury may direct, and shall have printed upon them such statements, showing the amount of accrued or accruing interest, the character of the notes, and the penalties or punishment for altering or counterfeiting them, as the Secretary of the Treasury may prescribe, and shall bear the written or engraved signatures of the treasurer of the United States and the register of the treasury, and also, as evidence of lawful issue, the imprint of a copy of the seal of the Treasury Department, which imprint shall be made, under the direc-

Denominations.
Legal tender, except for duties and interest.

Reissue.

Issues in lieu of notes cancelled.

Repeal of part of 1862, ch. 33, 1862, ch. 142. (*Ante*, pp. 345, 532) restricting negotiation to market value.

When former notes must be presented for exchange.

In lieu of postage currency fractional notes may be issued.

For what exchangeable and payable.

Issue not to exceed \$50,000,000.

Secretary may receive gold on deposit and issue certificates therefor.

Such certificates may be issued to pay interest on the public debt and duties.

Limit of amount.

Secretary to determine form of bonds and notes.

What to be printed thereon.

How signed.

To have imprint of seal.

Signature.

Provisions of
act 1857, ch. 1,
revived,
Vol. xi. p. 257.Duty on bank
circulation after
April 1, 1863.Banks with
branches.Additional tax
on banks.1863, ch. 58.
Ante, p. 665.Circulation of
fractional notes.Duty on de-
posits.Returns by
banks.

tion of the Secretary, after the said notes or bonds shall be received from the engravers and before they are issued; or the said notes and bonds shall be signed by the treasurer of the United States, or for the treasurer by such persons as may be specially appointed by the Secretary of the Treasury for that purpose, and shall be countersigned by the register of the treasury, or for the register by such persons as the Secretary of the Treasury may specially appoint for that purpose. And all the provisions of the act entitled "An act to authorize the issue of treasury notes," approved the twenty-third day of December, eighteen hundred and fifty-seven, so far as they can be applied to this act, and not inconsistent therewith, are hereby revived and reenacted.

SEC. 7. *And be it further enacted*, That all banks, associations, corporations, or individuals, issuing notes or bills for circulation as currency, shall be subject to and pay a duty of one per centum each half year from and after April first, eighteen hundred and sixty-three, upon the average amount of circulation of notes or bills as currency issued beyond the amount hereinafter named, that is to say: banks, associations, corporations, or individuals, having a capital of not over one hundred thousand dollars, ninety per centum thereof; over one hundred thousand and not over two hundred thousand dollars, eighty per centum thereof; over two hundred thousand and not over three hundred thousand dollars, seventy per centum thereof; over three hundred thousand and not over five hundred thousand dollars, sixty per centum thereof; over five hundred thousand and not over one million of dollars, fifty per centum thereof; over one million and not over one million and a half of dollars, forty per centum thereof; over one million and a half, and not over two millions of dollars, thirty per centum thereof; over two millions of dollars, twenty-five per centum thereof. In the case of banks with branches, the duty herein provided for shall be imposed upon the circulation of the notes or bills of such branches severally, and not upon the aggregate circulation of all; and the amount of capital of each branch shall be considered to be the amount allotted to or used by such branch; and all such banks, associations, corporations, and individuals shall also be subject to and pay a duty of one half of one per centum each half year from and after April first, eighteen hundred and sixty-three, upon the average amount of notes or bills not otherwise herein taxed and outstanding as currency during the six months next preceding the return hereinafter provided for; and the rates of tax or duty imposed on the circulation of associations which may be organized under the act "to provide a national currency, secured by a pledge of United States stocks, and to provide for the circulation and redemption thereof;" approved February twenty-fifth, eighteen hundred and sixty-three, shall be the same as that hereby imposed on the circulation and deposits of all banks, associations, corporations, or individuals, but shall be assessed and collected as required by said act; all banks, associations, or corporations, and individuals issuing or reissuing notes or bills for circulation as currency after April first, eighteen hundred and sixty-three, in sums representing any fractional part of a dollar, shall be subject to and pay a duty of five per centum each half year thereafter upon the amount of such fractional notes or bills so issued. And all banks, associations, corporations, and individuals receiving deposits of money subject to payment on check or draft, except savings institutions, shall be subject to a duty of one eighth of one per centum each half year from and after April first, eighteen hundred and sixty-three, upon the average amount of such deposits beyond the average amount of their circulating notes or bills lawfully issued and outstanding as currency. And a list or return shall be made and rendered within thirty days after the first day of October, eighteen hundred and sixty-three, and each six months thereafter, to the commissioner of internal revenue, which shall contain a true and faithful account of the amount of duties accrued, or

which should accrue, on the full amount of the fractional note circulation and on the average amount of all other circulation and of all such deposits, for the six months next preceding. And there shall be annexed to every such list or return a declaration, under oath or affirmation, to be made in form and manner as shall be prescribed by the commissioner of internal revenue, of the president, or some other proper officer of said bank, association, corporation, or individual, respectively, that the same contains a true and faithful account of the duties which have accrued, or which should accrue, and not accounted for; and for any default in the delivery of such list or return, with such declaration annexed, the bank, association, corporation, or individual making such default, shall forfeit, as a penalty, the sum of five hundred dollars. And such bank, association, corporation, or individual shall, upon rendering the list or return as aforesaid, pay to the commissioner of internal revenue the amount of the duties due on such list or return, and in default thereof shall forfeit, as a penalty, the sum of five hundred dollars; and in case of neglect or refusal to make such list or return as aforesaid, or to pay the duties as aforesaid, for the space of thirty days after the time when said list should have been made or rendered, or when said duties shall have become due and payable, the assessment and collection shall be made according to the general provisions prescribed in an act entitled "An act to provide internal revenue to support the Government and to pay interest on the public debt," approved July one, eighteen hundred and sixty-two.

To be under oath.

Duties to be paid on rendering the return.

Penalty for neglect.

1862, ch. 119.
Ante, p. 432.

SEC. 8. *And be it further enacted*, That, in order to prevent and punish counterfeiting and fraudulent alterations of the bonds, notes, and fractional currency authorized to be issued by this act, all the provisions of the sixth and seventh sections of the act entitled "An act to authorize the issue of United States notes, and for the redemption or funding thereof, and for funding the floating debt of the United States," approved February twenty-fifth, eighteen hundred and sixty-two, shall, so far as applicable, apply to the bonds, notes, and fractional currency hereby authorized to be issued, in like manner as if the said sixth and seventh sections were hereby adopted as additional sections of this act. And the provisions and penalties of said sixth and seventh sections shall extend and apply to all persons who shall imitate, counterfeit, make, or sell any paper such as that used, or provided to be used, for the fractional notes prepared, or to be prepared, in the treasury department building, and to all officials of the treasury department engaged in engraving and preparing the bonds, notes, and fractional currency hereby authorized to be issued, and to all official and unofficial persons in any manner employed under the provisions of this act. And the sum of six hundred thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, to enable the Secretary of the Treasury to carry this act into effect.

Penalties of former act against counterfeiting, &c., made applicable.

1862, ch. 33,
§§ 6, 7.
Ante, p. 347.

Appropriation for expenses of this act.

APPROVED, March 3, 1863.

CHAP. LXXIV. — *An Act to amend an Act entitled "An Act to provide Internal Revenue to support the Government and pay Interest on the Public Debt," approved July first, eighteen hundred and sixty-two, and for other Purposes.*

March 3, 1863.

1862, ch. 119.
Ante, p. 432.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That "An act to provide internal revenue to support the Government and pay interest on the public debt," approved July first, eighteen hundred and sixty-two, be, and the same hereby is, amend[ed] as hereinafter set forth, namely: —

Amendments.

That wherever any written notice, or other instrument in writing, is required, the same shall be lawful if written or partly written and printed.

Written notice may be partly in print.

Section 11.
Ante, p. 435.

That section eleven be, and hereby is, amended so as to authorize

Assistant assessors to perform any duties therein imposed upon assessors.

Section 19.
Ante, p. 439.

Deputies may do duties of collectors.

Notice to delinquent tax-payers how sent,

to state what.

Demand for certain taxes.

Copy of distraint, where to be left.

Proviso.

Section 28.
Imprisonment added to fine.

Ante, p. 444.

Section 43.
Penalty for fraudulent use of marked cases, &c.

Ante, p. 447.

Section 44.
Ante, p. 448.

Section 55.
Ante, p. 452.

Section 64.
License of attorneys,
Ante, pp. 457, 459.

of apothecaries,
Ante, p. 458.

of manufac-
tures.

Additions to section 64.

Ante, p. 459.

Licenses of architects and civil engineers.

That section nineteen be so amended that the deputy collector, as well as the collector, may perform all the duties required of the said collector in the said section; and any notice required by said section to persons who neglect to pay their taxes may be sent by mail or left at the dwellings or usual places of business of such persons, if any they have, written or printed, and said notice shall state the amount of duty or tax for which such persons are liable, including the ten per centum additional, as provided for in said section, demanding payment of the same; and with respect to all such duties or taxes as are not included in the annual lists as provided for in said section, and all taxes and duties the collection of which is not otherwise provided for in said act, it shall be the duty of each collector in person or by deputy to demand payment therefor, in the manner provided, within ten days from and after the expiration of the time within which such duty or tax should have been paid; and any copy of distraint shall be left at the dwelling or usual place of business of the owner or possessor of the property distrained: *Provided*, That such special demand shall not be necessary in respect to taxes assessed by section seventy-seven of said act.

That section twenty-eight be, and hereby is, amended, by striking out the words "forfeit and pay the sum of five hundred dollars," and inserting in lieu thereof "upon conviction thereof by a court of competent jurisdiction, forfeit and pay the sum of five hundred dollars, or be imprisoned for a term not exceeding two years, at the discretion of the court."

That section forty-three be amended by striking out the following words: "and any person who shall use any cask or package so marked, for the purpose of selling spirits of a quality different from that so inspected, shall be subject to a like penalty for each cask or package so used," and inserting in lieu thereof "and any person who shall fraudulently use any cask or package so marked for the purpose of selling any other spirits than that so inspected, or for selling spirits of a quality or quantity different from that so inspected, shall be subject to a like penalty, as provided for each cask or package so used."

That section forty-four be, and hereby is, amended, by striking out the words "to be contiguous to such distillery."

That section fifty-five be, and hereby is, amended by inserting after the words "shall not be paid at the time of rendering the account of the same, as herein required," the words "or at the time when they shall have become payable."

That section sixty-four be, and hereby is, so amended, "That no license shall be required of an attorney having taken out a license as such in consequence of being employed to purchase, rent, or sell real estate, or to collect rent thereon for others in the ordinary course of business;" in paragraph number sixteen by inserting after the word "taverns," the words, "or eating-houses;" by adding to paragraph number twenty-eight the following words: "Nor shall apothecaries who have taken out a license as such be required to take out a license as retail dealers in liquors in consequence of selling alcohol;" and in paragraph number twenty-nine by inserting after the word "merchandise," "or who shall manufacture by hand or machinery, for any other person, or persons, goods, wares, or merchandise."

That section sixty-four be, and hereby is, further amended by adding, at the end thereof, the following paragraphs:

"Thirty-four. Architects and civil engineers shall pay ten dollars for each license. Every person whose business it is to plan, design, or superintend the construction of buildings, or ships, or of roads, or bridges, or canals, or railroads, shall be regarded as an architect and civil engineer

under this act: *Provided*, That this shall not include a practical carpenter who labors on a building.

"Thirty-five. Builders and contractors shall pay twenty-five dollars for each license. Every person whose business it is to construct buildings, or ships, or bridges, or canals, or railroads by contract, shall be regarded as a builder and contractor under this act: *Provided*, That no license shall be required from any person whose building contracts do not exceed two thousand five hundred dollars in any one year. Builders and contractors.

"Thirty-six. Stallions and jacks, owners of, shall pay ten dollars for each license. Every person who keeps a male horse or a jackass for the use of mares, requiring or receiving pay therefor, shall be required to take out a license under this act, which shall contain a brief description of the animal, its age, and place or places where used or to be used: *Provided*, That all accounts, notes, or demands, for the use of any such horse or jack without a license, as aforesaid shall be invalid, and of no force in any court of law or equity. Owners of stallions and jacks.

"Thirty-seven. Lottery-ticket dealers shall pay one thousand dollars for each license. Every person, association, firm, or corporation who shall make, sell, or offer to sell lottery tickets or fractional parts thereof, or any token, certificate, or device representing or intended to represent a lottery ticket or any fractional part thereof, or any policy of numbers in any lottery, or shall manage any lottery or prepare schemes of lotteries, or superintend the drawing of any lottery, shall be deemed a lottery-ticket dealer under this act. Lottery-ticket dealers.

"Thirty-eight. Insurance agents shall pay ten dollars for each license. Any person who shall act as agent of any fire, marine, life, mutual, or other insurance company, or companies, shall be regarded as an insurance agent under this act: *Provided*, That no license shall be required of any insurance agent or broker whose receipts, as such agent, are less than the sum of six hundred dollars in any one year. Insurance agents.

"Thirty-nine. Butchers shall pay ten dollars for each license. Every person whose business it is to sell butchers' meat at retail shall be regarded as a butcher under this act: *Provided*, That no butcher having taken out a license, and paid ten dollars therefor, shall be required to take out a license as retail dealer on account of selling other articles at the same store, stall, or premises: *Provided, further*, That butchers who retail butchers' meat exclusively from a cart or wagon, by themselves or agents, shall be required to pay five dollars only for each license, any existing law to the contrary notwithstanding, and having taken out a license therefor shall not be required to take out a license as a pedler for retailing butchers' meat, as aforesaid: *And provided further*, That no license shall be required of a butcher whose annual sales do not exceed one thousand dollars. Butchers.

"Forty. Retail dealers shall pay ten dollars for each license. Every person whose business or occupation it is to sell or offer for sale any goods, wares, or merchandise of foreign or domestic production, not including wines, spiritous or malt liquors, but not excluding drugs, medicines, cigars, snuff, or tobacco, and whose annual sales exceed one thousand, and do not exceed twenty-five thousand dollars, shall be regarded as a retail dealer under this act. Retail dealers.

"Forty-one. Wholesale dealers, whose annual sales do not exceed fifty thousand dollars, shall pay twenty-five dollars for each license; if exceeding fifty thousand, and not exceeding one hundred thousand dollars, shall pay fifty dollars for each license; exceeding one hundred thousand and not exceeding two hundred and fifty thousand dollars, shall pay one hundred dollars for each license; exceeding two hundred and fifty thousand and not exceeding five hundred thousand dollars, shall pay two hundred dollars for each license; exceeding five hundred thousand and not exceeding one million dollars, shall pay three hundred dollars for each license; exceeding one million and not exceeding two million dollars, shall pay five Wholesale dealers.

Ante, p. 455.

Wholesale dealers.

hundred dollars for each license : exceeding two millions of dollars, shall pay two hundred and fifty dollars for every million of dollars in excess of two millions of dollars, in addition to the five hundred dollars. Every person shall be regarded as a wholesale dealer under this act whose business or occupation it is to sell or offer to sell any goods, wares, or merchandise of foreign or domestic production, not including distilled spirits, fermented liquors or wines, but not excluding drugs, medicines, cigars, snuff, or tobacco, whose annual sales exceed twenty-five thousand dollars ; and the license required by any wholesale dealer shall not be for a less amount than his sales for the previous year, unless he has made or proposes to make some change in his business that will obviously reduce the amount of his annual sales ; nor shall any license as wholesale dealer allow any such person to act as a commercial broker : *Provided*, That any license understated may be again assessed.

New assessment of license.

Wholesale dealers in liquors.

Ante, p. 455.

“Forty-two. Wholesale dealers in liquors shall pay for each license the amount required in this act for license to wholesale dealers. Every person other than the distiller or brewer, who shall sell or offer for sale any distilled spirits, fermented liquors, and wines of all kinds, in quantities of more than three gallons at one time, or whose annual sales shall exceed twenty-five thousand dollars, shall take out a license as a wholesale dealer in liquors.

Retail dealers in liquors.

Ante, p. 455.

“Forty-three. Retail dealers in liquors shall pay twenty dollars for each license. Every person other than a distiller or brewer, who shall sell or offer for sale any distilled spirits, fermented liquors, or wine of any description, in quantities of three gallons or less, and whose annual sales do not exceed twenty-five thousand dollars, shall be regarded as a retail dealer in liquors under this law ; but nothing herein contained shall authorize the sale of any spirits, liquors, wines or malt liquors to be drank on the premises : *Provided*, That no person licensed to keep a hotel, inn, or tavern, shall be allowed to sell any liquors to be taken off the premises, and no person licensed to keep an eating-house shall be allowed to sell spiritous or vinous liquors. And no person who has taken out a license to keep a hotel, inn, tavern, or eating-house shall be required to take out a license as a tobacconist because of any tobacco or cigars furnished in the usual course of business as a keeper of a hotel, inn, tavern, or eating-house.”

Section 75.

Paints and painters' colors.

Ante, p. 464.

Coal mined and delivered, &c.

Ante, p. 462.

Sugar refiners.

Ante, p. 463.

That section seventy-five be, and hereby is, amended, by inserting after the words “*Provided*, That white lead, oxide of zinc, and sulphate of barytes,” the words “and paints and painters' colors ;” by inserting before the words “on lard oil,” and attached to the next preceding sentence, as follows : “and all duties or taxes on coal mined and delivered by coal operators at the mines on contracts made prior to July first, eighteen hundred and sixty-two, shall be paid by the purchasers thereof ;” by striking out the following words : “on sugar, refined, whether loaf, lump, granulated, or pulverized, two mills per pound ; on sugar, refined, or made from molasses, sirup of molasses, melado, or concentrated melado, two mills per pound,” and inserting in lieu thereof as follows : “sugar refiners shall pay one and one half of one per cent. on the gross amount of the sales of all the products of their manufactories : *Provided*, That every person shall be regarded as a sugar refiner under this act whose business it is to advance the quality and value of sugar by melting and re-crystallization, or by liquoring, claying, or other washing process, or by any other chemical or mechanical means ; or who shall advance the quality or value of molasses and concentrated molasses, melado or concentrated melado, by boiling or other process ;” and by inserting therein, in lieu of any other duties, or rates of duty, on the articles hereinafter enumerated in this section, or provisions existing in relation thereto, the following :

Marine engines.

“On marine engines, three per centum ad valorem ;

- “On rivets, exceeding one fourth of one inch in diameter, nuts, wrought railroad chairs, bolts, and horse-shoes, two dollars per ton: *Provided*, That where a duty upon the iron from which said articles shall have been made has been actually paid, an additional duty only shall be paid of fifty cents per ton; Rivets, nuts, bolts, &c.
- “On rolled brass, copper, and yellow sheathing metal, in rods or sheets, one per centum ad valorem; Rolled brass, copper, &c.
- “On sails, tents, shades, awnings, and bags, made of cotten, flax, or hemp, or part of either, or other materials, three per centum ad valorem: *Provided*, That the sewing of *sacils*, [sails,] tents, shades, awnings, carpets and bags, the materials whereof belonged to the employer, shall be exempt from duty where the cloth or material from which they are made was imported, or has been subject to and paid a duty; Sails, tents, &c.
- “On tobacco, cavendish, plug, twist, fine-cut, and manufactured of all descriptions, (not including snuff, cigars, and smoking tobacco, prepared with all the stems in or made exclusively of stems,) fifteen cents per pound; Tobacco, &c. *Ante*, p. 463.
- “On smoking tobacco prepared with all the stems in, and on smoking tobacco made exclusively of stems, five cents per pound;
- “On snuff manufactured of tobacco, *on* [or] stems, or of any substitute for tobacco, ground, dry, or damp, of all descriptions, twenty cents per pound; Snuff. *Ante*, p. 463.
- “On mineral or medicinal waters, or waters from springs impregnated with minerals, one cent for each bottle containing not more than one quart; when containing more than one quart, two cents for each bottle; Mineral, &c., waters.
- “Tailors, boot and shoemakers, milliners and dressmakers, making clothing or articles of dress for men’s, women’s, or children’s wear, to order as custom-work, and not for sale generally, shall, to the amount of one thousand dollars, be exempt from duty, and for any excess beyond the amount of one thousand dollars shall pay a duty of one per centum ad valorem; Tailors, shoe-makers, &c.
- “On umbrellas and parasols, made of cotton, silk, or other material, three per centum ad valorem; Umbrellas, &c. *Ante*, p. 464.
- “On all ships, barques, brigs, schooners, sloops, sail-boats, steamboats, (not including the engine), canal-boats, and all other vessels or water-craft hereafter built, made, or constructed, two per cent; Ships, &c.
- “On sugar-candy and all confectionary made wholly or in part of sugar, valued at fourteen cents per pound or less, two cents per pound; when valued at exceeding fourteen cents and not exceeding forty cents per pound, three cents per pound; when valued at exceeding forty cents per pound, or when sold otherwise than by the pound, five per centum ad valorem; Confectionary. *Ante*, p. 463.
- “On all gold leaf fifteen cents per pack, containing not more than twenty books of twenty-five leaves each; Gold leaf.
- “On castings of iron exceeding ten pounds in weight for each casting, not otherwise provided for in this act, or in the act to which this act is an amendment, one dollar and fifty cents per ton: *Provided*, That there shall be deducted from duties assessed upon railroad cars any duties which may have been assessed and paid upon car-wheels under the provisions of this act; Castings of iron. *Ante*, p. 464.
- “On clocks and time-pieces, and on clock movements when sold without being cased, three per centum ad valorem.” Clocks and time-pieces. *Ante*, p. 464. Section 77.
- That section seventy-seven be, and hereby is, amended, by requiring the taxes provided for in that section to be levied, collected, and paid annually, by any person or persons owning, possessing, or keeping any carriage, yacht, plate, or billiard-table; by inserting in the first paragraph of Schedule A, after the words “kept for use,” the words “for hire or for passengers;” and by exempting from duty plate belonging to religious societies. Taxes to be paid annually. *Ante*, p. 467. Schedule A.

Amendment of section 78.

Slaughtered animals.

Ante, p. 468.

That section seventy-eight be, and hereby is, amended, by reducing the duty so that on horned cattle, slaughtered, the duty shall be twenty cents per head, on sheep and lambs, slaughtered, the duty shall be three cents per head, and on hogs, slaughtered, exceeding one hundred pounds in weight, without regard to age, six cents each, and no duty shall be charged on hogs slaughtered of less weight; and the cattle, hogs, and sheep slaughtered by any person for his or her own consumption, not exceeding six of each, shall be exempt from duty.

Section 91.

Ante, p. 474.

That section ninety-one be amended by striking out the word "gas" wherever it occurs, and by striking out the words "or on any articles manufactured" after the word "advertisements."

Section 93.

Ante, p. 475.

That section ninety-three be amended so that in case of neglect or refusal to make the returns referred to in said section the proceedings thereafter for the assessment and collection of the duty shall be in the same manner as provided for in other cases of neglect.

Section 99.

Ante, p. 477.

That section ninety-nine be amended by striking out the words "ninety-three" preceding the words "of this act," and inserting "ninety-eight."

Section 102.

Ante, p. 477.

That section one hundred and two be, and hereby is, amended, by striking out the words "thereupon allow and deduct from," and inserting in lieu thereof the words "allow upon;" by striking out the words "added to the amount, after deducting the allowance of per centum, as aforesaid," and inserting in lieu thereof the words, "paid by the purchaser of such stamped paper, vellum, or parchment;" and by striking out the word "discount" and inserting in lieu thereof the word "commission."

Section 112.

Ante, p. 486.

That section one hundred and twelve be, and hereby is amended, by inserting, after the word "district" where it first occurs, as follows: "of which the deceased person was a resident;" and by inserting after the word "district," where it next occurs, as follows: "of which the deceased person was a resident."

Penalty for making, selling, &c., lottery ticket without adhesive stamp.

SEC. 2. *And be it further enacted*, That on and after the first day of May, eighteen hundred and sixty-three, no person or persons, association, firm, or corporation, shall make, sell, or offer for sale, or dispose of any lottery ticket, or fractional part thereof, or any policy of numbers in any lottery, or any token, certificate, or device representing or intended to represent the holder, or any other person or person[s], as entitled or to be entitled, in any lottery, lottery scheme or game of hazard or chance to be drawn, to any prize or share or part of a prize, or any sum or part or share of any sum of money, or other article of value, or any fractional part thereof, without affixing thereto an adhesive stamp or stamps denoting the duty imposed by this act, and in default thereof shall incur a penalty of fifty dollars for each and every such offence; and no prize or part of a prize drawn to or by any ticket, or fractional part thereof, token, certificate, or device as aforesaid, and no sum of money or thing of value made payable or deliverable upon any stake or investment or risk in, or upon any policy of numbers, shall be demanded or recovered by any legal proceedings or otherwise without the ticket or fractional part thereof, or policy of numbers, token, certificate, or device, shall have been duly stamped at the time of the making sale or delivery or disposal thereof: *Provided*, That, in addition to all other penalties and forfeitures now imposed by law for the evasion of stamp duties, any person who shall purchase, obtain, or receive any lottery ticket, or fractional part thereof, or any token, certificate, or device representing or intended to represent a lottery ticket, or fractional part thereof, or any policy of numbers, without first having thereon the stamp imposed by this act, may recover from the person of whom the same was purchased, obtained, or received, at any time within three years thereafter, before any court of competent jurisdiction, a sum equal to twice the amount paid for such ticket or fractional part thereof, token, certificate, or device, or staked or invested in or upon any policy of numbers as aforesaid, with just and

Prizes not recoverable.

Additional penalties.

legal costs: *Provided, further,* That the stamp duty herein provided for shall be classed in the act to which this act is an amendment under Schedule B, as follows, to wit:

“ Lottery tickets, fractional parts of lottery tickets, policies of numbers in lotteries, tokens, certificates, or devices in any form, representing the holder, or any person or persons, as entitled, or to be entitled, in any lottery, scheme, or game of hazard or chance, hereafter to be drawn, to any prize or portion of a prize or sum of money, or share thereof, or other article of value, or any portion or share thereof, when such ticket, fractional part of a ticket, policy of numbers, token, certificate, or device, shall not exceed one dollar in the amount risked, or in the retail price thereof, fifty cents, (50;) when such ticket, fractional part of a ticket, policy, token, certificate, or device, shall exceed one dollar in the amount risked, or in the retail price thereof, then for each and every dollar, or fractional part thereof, over and above one dollar, as before mentioned, an additional fifty cents, (50:) *Provided, however,* That no stamp duty herein provided for shall be construed to authorize any lottery, or the sale of any lottery tickets, tokens, or certificates, representing shares or fractional parts of shares therein, within any state or territory of the United States in which lotteries or the sale of lottery tickets is or shall be specially prohibited by the laws thereof, or in violation of the laws of any state or territory; and nothing in this act shall be held or construed so as to prevent the several states, within the limits thereof, from placing a duty, tax, or license, for state purposes, on any sale of lottery tickets on which a duty is required to be paid by this act.”

Lottery-tickets.

Stamp duty not to authorize lotteries.

SEC. 3. *And be it further enacted,* That any person or persons, firm, company, or corporation, who shall issue tickets or contracts of insurance against fatal or non-fatal injury to persons while travelling by land or water, shall pay a duty of one per centum on the gross amount of all the receipts for such insurance, and shall be subject to all the provisions and regulations of existing law applicable thereto, in relation to insurance companies: *Provided,* That no stamp duty shall be required upon tickets or contracts of insurance as aforesaid, when limited to fatal or non-fatal injury to persons while travelling.

Insurance against injury by travelling.

Ante, p. 482.

SEC. 4. *And be it further enacted,* That all contracts for the purchase or sale of gold or silver coin, or bullion, and all contracts for the loan of money or currency secured by pledge or deposit, or other disposition of gold or silver coin of the United States, if to be performed after a period exceeding three days, shall be in writing or printed, and signed by the parties or their agents or attorneys, and shall have one or more adhesive stamps, as provided in the act to which this is an amendment, equal in amount to one half of one per centum and interest at the rate of six per centum per annum on the amount so loaned, pledged, or deposited. And if any such loan, pledge, or deposit, made for a period not exceeding three days, shall be renewed or in any way extended for any time whatever, said loan, pledge, or deposit, shall be subject to the duty imposed on loans exceeding three days. And no loan of currency or money on the security of gold or silver coin of the United States, as aforesaid, or of any certificate or other evidence of deposit payable in gold or silver coin, shall be made exceeding in amount the par value of the coin pledged or deposited as security; and any such loan so made, or attempted to be made, shall be utterly void: *Provided,* That if gold or silver coin be loaned at its par value it shall be subject only to the duty imposed on other loans: *Provided, however,* That nothing herein contained shall apply to any transaction by or with the government of the United States.

Contracts for purchase of coin or bullion.

Stamp duty.

Loans on pledge of coin not to exceed par value of coin.

SEC. 5. *And be it further enacted,* That all contracts, loans, or sales of gold and silver coin and bullion, not made in accordance with this act, shall be wholly and absolutely void; and in addition to the penalties pro-

Certain contracts, loans, and sales of coin and bullion void.

The money paid may be recovered back.

vided in the act to which this is an amendment, any party to said contract may, at any time within one year from the date of the contract, bring suit before any court of competent jurisdiction to recover back, for his own use and benefit, the money paid on any contract not made in accordance with this act.

SEC. 6. *And be it further enacted*, That section one hundred and ten be, and hereby is, amended as follows: "Any memorandum, check, receipt, or other written or printed evidence of an amount of money to be paid on demand, or at a time designated, shall be considered as a promissory note within the meaning of that section, and shall be stamped accordingly; and that Schedule B, following said section be, and is hereby amended, so that any inland bill of exchange, draft, or order for the payment of any sum of money exceeding twenty dollars, otherwise than at sight or on demand, and any promissory note shall (in lieu of the duties prescribed in Schedule B) have a stamp or stamps affixed thereon denoting a duty, upon every sum of two hundred dollars or any fractional part thereof, if payable on demand or at any time not exceeding thirty-three days including the grace from the date or sight, of one cent, (01.)

If payable at any time not less than thirty-three days as aforesaid, and not exceeding sixty-three days, including the grace, from date or sight, of two cents, (02.)

If payable at any time not less than sixty-three days, as aforesaid, and not exceeding ninety-three days, including the grace, from date or sight, of three cents, (03.)

If payable at any time not less than ninety-three days, as aforesaid, and not exceeding four months from date or sight and grace, of four cents, (04.)

If payable at any time not less than four months, as aforesaid, and not exceeding six months from date or sight, or grace, of six cents, (06.)

If payable at any time exceeding six months from date or sight and grace, of ten cents, (10.)

And that Schedule B, following section one hundred and ten be, and is hereby further amended, so that the stamp duty on certificates of any other description than those specified in said schedule, in lieu of ten cents as therein prescribed, shall be five cents, (05.)

On passage tickets by any vessel from a port of the United States to a foreign port, costing thirty dollars or less, fifty cents, (50.)

On any power of attorney for the sale or transfer of any scrip or certificate of profits or memorandum, showing an interest in the profits or accumulations of any corporation or association, if for a sum not exceeding fifty dollars, ten cents, (10.)

On any policy of insurance or other instrument, by whatever name the same shall be called, by which insurance shall be made or renewed upon property of any description whether against perils by sea, or by fire, or other peril of any kind, made by any insurance company or its agents, or by any other company or person in which the premium or assessment shall not exceed ten dollars, ten cents, (10.)

On any bill of sale by which any ship or vessel or any part thereof shall be conveyed to or vested in any other person or persons when the consideration shall not exceed five hundred dollars, there shall be affixed a stamp or stamps denoting a duty of twenty-five cents, (25.)

If the consideration exceeds five hundred and does not exceed one thousand dollars, the duty shall be fifty cents, (50.)

If the consideration exceeds one thousand dollars, for each and every additional amount of one thousand dollars, or any fractional part thereof, in excess of one thousand dollars, the duty in addition, shall be fifty cents, (50.)

On each and every assignment or transfer of a mortgage, lease, or policy

Promissory notes.

Section 110. *Ante*, p. 479. Schedule B amended.

Duties upon bills of exchange, drafts, &c.

Ante, p. 480.

On certificates other than those specified.

Ante, p. 481.

Passage-tickets.

Ante, p. 483.

Power of attorney.

Ante, p. 483.

Policies of insurance

Ante, p. 482.

Bill of sale of vessel.

Assignment of mortgage, lease,

of insurance, a stamp duty shall be paid equal to that imposed on the original instrument. policy of insurance.

Any power of attorney, conveyance, or document of any kind made, or purporting to be made, in any foreign country to be used in the United States shall pay the same duty as is required by law on similar instruments or documents when made or issued in the United States; and the party to whom the same is issued or by whom it is to be used, shall, before using the same, affix thereon the stamp or stamps indicating the duty required. Documents made in a foreign country for use here, to pay same duty as though made here.
Who to affix stamp.

Any mortgage or personal bond for the payment of money, or as security for the payment of any definite or certain sum of money, in lieu of the duties imposed as prescribed in Schedule B following the one hundred and tenth section, shall have a stamp or stamps affixed thereon denoting a duty upon every sum of two hundred dollars, or any fractional part thereof, of ten cents, (10.) Personal mortgages as security for money.
Ante, p. 482.

No conveyance, deed, mortgage, or writing, whereby any lands, tenements, realty, or other property shall be sold, granted, assigned or otherwise conveyed, or shall be made as security for the payment of any sum of money, shall be required to pay a stamp duty of more than the sum of one thousand dollars, anything to the contrary notwithstanding. Any conveyance, &c., not to pay a stamp duty of over \$1000.

No stamp duty shall be required on powers of attorney or any other paper relating to applications for bounties, arrearages of pay, or pensions, or to the receipt thereof from time to time; or indemnity awarded for depredations and injuries by certain bands of Sioux Indians; nor on any warrant of attorney accompanying a bond or note, when such bond or note shall have affixed thereto the stamp or stamps denoting the duty required; and whenever any bond or note shall be secured by a mortgage but one stamp duty shall be required to be placed on such papers: *Provided*, That the stamp duty placed thereon is the highest rate required for said instruments, or either of them; nor on certificates of the measurement or weight of animals, wood, coal, or other articles; nor on deposit notes to mutual insurance companies for insurance upon which policies subject to stamp duties have been, or are to be, issued; nor on any certificate of the record of a deed or other instrument in writing, or of the acknowledgment or proof thereof by attesting witnesses. Stamp duty not required on papers relating to bounties, &c.

The duty or stamp required for transportation by express companies and others is hereby repealed, and such transportation shall be exempt from stamp duty. One stamp on bond and mortgage.
To be of highest rate.

That the stamp duty on a contract or agreement for the charter of any ship, or vessel, or steamer, as now provided for in Schedule B, or any letter, memorandum, or other writing between the captain, master, or owner, or person acting as agent of any ship, or vessel, or steamer, and any other person or persons for or relating to the charter of such ship, or vessel, or steamer, if the registered tonnage of such ship, or vessel, or steamer, does not exceed one hundred and fifty tons, shall be one dollar, (\$1.) Certificates of measurement, &c.
Deposit notes.
Certificates of record, &c., of deeds.

Exceeding one hundred and fifty tons and not exceeding three hundred tons, three dollars, (\$3.) Transportation by express exempt from stamp duty.

Exceeding three hundred tons and not exceeding six hundred tons, five dollars, (\$5.) Charter-parties.

Exceeding six hundred tons, ten dollars, (\$10.) Ante, p. 481.

SEC. 7. *And be it further enacted*, That the commissioner of internal revenue be, and he is hereby, authorized to prescribe such method for the cancellation of stamps as a substitute for or in addition to the method now prescribed by law, as he may deem expedient and effectual. And he is further authorized in his discretion to make the application of such method imperative upon the manufacturers of proprietary articles, and upon stamps of a nominal value exceeding twenty-five cents each. Cancellation of stamps.

SEC. 8. *And be it further enacted*, That, on and after the passage of Ante, p. 476.
Duty on interest on bonds of

canal, &c., companies, and upon their dividends.

this act, any person or persons owning or possessing, or having the care or management of any canal company or canal navigation or slack-water corporation, or turnpike companies, being indebted for any sum or sums of money for which bonds or other evidences of indebtedness have been issued, payable in one or more years after date, upon which interest is, or shall be, stipulated to be paid, or coupons representing the interest, shall be or shall have been issued to be paid; and all dividends in scrip or money, or sums of money thereafter declared due or payable to stockholders of any canal navigation, or slack-water or turnpike company, as part of the earnings, profits, or gains, of said companies, shall be subject to and pay a duty of three per centum on the amount of all such interest, or coupons, or dividends, whenever the same shall be paid; and said canal companies or canal navigation, or slack-water corporations, or turnpike companies, or any person or persons owning, possessing, or having the care or management of any canal company, or canal navigation or slack-water corporation, or turnpike company, are hereby authorized and required to deduct and withhold from all payments made to any person, persons, or party, after the first day of July, as aforesaid, on account of any interest, or coupons, or dividends due and payable, as aforesaid, the said duty or sum of three per centum; and the duties deducted, as aforesaid, and certified by the president or other proper officer of said company or corporation, shall be a receipt and discharge, according to the amount thereof, of said canal companies or canal navigation, or slack-water corporations, or turnpike companies, and the owners, possessors, and agents thereof, on dividends and on bonds or other evidences of their indebtedness upon which interest or coupons are payable, holden by any person or party whatsoever, and a list or return shall be made and rendered within thirty days after the time fixed when said interest or coupons or dividends become due or payable, and as often as every six months, to the commissioner of internal revenue, which shall contain a true and faithful account of the duties received and chargeable, as aforesaid, during the time when such duties have accrued or should accrue, and remaining unaccounted for; and there shall be annexed to every such list or return a declaration, under oath or affirmation, in manner and form as may be prescribed by the commissioner of internal revenue, of the president, treasurer, or some proper officer of said canal company or canal or navigation and slack-water corporation or turnpike companies, that the same contains a true and faithful account of the duties so withheld and received during the time when such duties have accrued or should accrue, and not accounted for; and for any default in the making or rendering of such list or return, with the declaration annexed, as aforesaid, the person or persons owning, possessing, or having the care or management of such canal company or canal, navigation or slack-water corporation or turnpike companies, making such default, shall forfeit, as a penalty, the sum of five hundred dollars; and in case of any default in making or rendering said list, or of any default in the payment of the duty, or any part thereof, accruing or which should accrue, the assessment and collection shall be made according to the general provisions of the act to which this act is an amendment.

Returns to be made,

to be verified by oath.

Penalty for default.

Ferry-boats.

SEC. 9. *And be it further enacted,* That any person or persons, firms, companies, or corporations, owning or possessing, or having the care or management of any ferry-boat, or vessel used as a ferry-boat, propelled by steam or horse power, in lieu of the duties now imposed by law, shall be subject to pay a duty of one and one half of one per centum upon the gross receipts of such ferry-boat; and the return and payment thereof shall be made in the manner prescribed in the act to which this act is an amendment.

Express companies.
Aute, p. 481.

SEC. 10. *And be it further enacted,* That on and after the first day of April, eighteen hundred and sixty-three, any person or persons, firms,

companies, or corporations carrying on or doing an express business shall, in lieu of the tax and stamp duties imposed by existing laws, be subject to and pay a duty of two per centum on the gross amount of all the receipts of such express business, and shall be subject to the same provisions, rules, and penalties as are prescribed in section eighty of the act to which this is an amendment, for the persons, firms, companies, or corporations owning or possessing or having the management of railroads, steamboats, and ferry-boats; and all acts or part[s] of acts inconsistent herewith are hereby repealed.

Express companies.

SEC. 11. *And be it further enacted*, That in estimating the annual gains, profit, or income, of any person, under the act to which this act is an amendment, the amount actually paid by such person for the rent of the dwelling-house or estate on which he resides shall be first deducted from the gains, profit, or income of such person.

Income.
Ante, p. 473.
Rent of house to be deducted.

SEC. 12. *And be it further enacted*, That no duty shall be required to be assessed or collected on beer, lager beer, ale, or porter, brewed or manufactured, or on coal illuminating oil, refined, produced by the distillation of coal, asphaltum, shale, peat, petroleum, or rock oil, distilled spirits, cotton or woollen fabrics, when brewed, manufactured, or distilled prior to the first day of September, eighteen hundred and sixty-two, whether the same was removed for consumption or sale, or not, when the owner, agent, or superintendent of the brewery or premises in which such articles as aforesaid were made, manufactured, produced, or distilled, shall furnish to the assessor of the district, without costs or expense to the United States, satisfactory proof that such beer, lager beer, ale, or porter, or such coal illuminating oil, refined, produced by the distillation of coal, asphaltum, shale, peat, petroleum, or rock oil, distilled spirits, cotton or woollen fabrics, was actually brewed, manufactured, produced, or distilled prior to the first day of September, eighteen hundred and sixty-two, as aforesaid: *Provided*, That, in addition to the fractional parts of a barrel allowed in section fifty of the act to which this act is an amendment, fractional parts of a barrel may be thirds and sixths when the quantity therein contained is not greater than such fractional part represents: *Provided, further*, That from and after the passage of this act, and until the first day of April, eighteen hundred and sixty-four, there shall be paid on all beer, lager beer, ale, porter, and other similar fermented liquors, by whatever name such liquors may be called, a duty only of sixty cents for each and every barrel containing not more than thirty-one gallons, and at a like rate for any other quantity or for fractional parts of a barrel: *And provided, further*, That the commissioner of internal revenue is authorized to make rules providing for deductions on account of leakage, from the quantity of spirituous liquors subject to taxation, under the act to which this act is an amendment, not exceeding five per centum of the amount removed for sale; and said deductions shall be so adjusted in the different parts of the United States as to be proportioned, as nearly as practicable, to the distances over which the manufacturer usually transports said liquors for the wholesale thereof; and the owner of the aforesaid liquors shall be charged with and pay the expense of ascertaining the leakage.

No duty on beer, &c., coal oil, &c., manufactured prior to Sept. 1, 1862, upon proof, &c.
Ante, p. 450.

Fractional parts of a barrel.

Duty on beer, ale, &c., until April 1, 1864.

Deductions for leakage.

SEC. 13. *And be it further enacted*, That any brewer of ale, beer, lager beer, porter, or other malt liquors, shall be required to render accounts and make returns on the first day of each and every month, and no oftener; and no brewer of ale, beer, lager beer, porter, or other malt liquors, shall hereafter be required to keep a record or an account, or to report or return the quantities of grain or other vegetable productions, or other substances put into the mash-tub by him or his agent or superintendent for the purpose of producing malt liquors, any law to the contrary notwithstanding.

Brewers to make returns.

Ante, p. 451.

Not to render certain accounts.

SEC. 14. *And be it further enacted*, That every incorporated bank, or

Banks not mak-

ing dividends,
&c., to make re-
turns,

Ante, p. 470.

and pay duty.

Licenses to run
from the 1st Mon-
day of May, &c.

Ante, p. 453.

Those granted
after May.

In certain col-
lection districts
Commissioner
may deliver
stamps without
prepayment.

Commissions.

Bond.

Collector to
supply deputies.

No instrument
issued prior to
June 1st, 1863,
without a stamp,
to be invalid for
that cause.

Ante, pp. 475,
561.

other bank legally authorized to issue notes as circulation, which shall neglect or omit to make dividends or additions to its surplus or contingent funds as often as once in six months, shall, in lieu thereof, make returns, under oath, to the commissioner of internal revenue, on the first days of January and July in each year, or within thirty days thereafter, of the amount of profits which have accrued or been earned and received by said bank during the six months next preceding said first days of January and July; and, at the time of making such returns, shall pay to the commissioner of internal revenue a duty of three per cent. on such profits, and shall be subject to the provisions of the eighty-second section of the act to which this is an addition: *Provided*, That the return for the first of January, eighteen hundred and sixty-three, shall be made within thirty days after the passage of this act.

SEC. 15. *And be it further enacted*, That the several assessors shall, on the first Monday of May next, and on the first Monday of May in each succeeding year, direct and cause the several assistant assessors to proceed through every part of their respective districts, and inquire after and concerning all persons being within the assessment districts where they respectively reside, and liable to license duty under the provisions of this act, or of the act to which this is in addition, and assess such persons as in said acts is required. And all licenses so assessed shall continue in force until the first day of May next succeeding. And all licenses granted after the first day of May in any year shall expire on the first day of May following, and shall be issued upon the payment of a ratable proportion of the whole amount of duty imposed for such license; and each license so granted shall be dated on the first day of the month in which it is issued: *Provided*, That any person, firm, or corporation that on the first day of May next shall hold an unexpired license, shall be assessed a ratable proportion for the time between the expiration of the license and the first day of May, eighteen hundred and sixty-four.

SEC. 16. *And be it further enacted*, That in any collection district where, in the judgment of the commissioner of internal revenue, the facilities for the procurement and distribution of stamped vellum, parchment or paper, and adhesive stamps are or shall be insufficient, the commissioner, as aforesaid, is authorized to furnish, supply, and deliver to the collector of any such district a suitable quantity or amount of stamped vellum, parchment, or paper, and adhesive stamps, without prepayment therefor, and shall allow the highest rate of commissions to the collector allowed by law to any other parties purchasing the same, and may, in advance, require of any such collector a bond, with sufficient sureties to an amount equal to the value of any stamped vellum, parchment or paper, and adhesive stamps which may be placed in his hands and remain unaccounted for, conditioned for the faithful return, whenever so required, of all quantities or amounts undisposed of, and for the payment, monthly, of all quantities or amounts, sold or not, remaining on hand. And it shall be the duty of such collector to supply his deputies with, or sell to other parties within his district who may make applications therefor, stamped vellum, parchment or paper, and adhesive stamps, upon the same terms allowed by law, or under the regulations of the commissioner of internal revenue, who is hereby authorized to make such other regulations, not inconsistent herewith, for the security of the United States and the better accommodation of the public in relation to the matters hereinbefore mentioned, as he may judge necessary and expedient: *Provided*, that no instrument, document, or paper made, signed, or issued prior to the first day of June, Anno Domini eighteen hundred and sixty-three, without being duly stamped, or having thereon an adhesive stamp to denote the duty imposed thereon, shall, for that cause, be deemed invalid and of no effect: *And provided*, That no instrument, document, writing, or paper, required by law to be stamped, signed, or issued, without being duly stamped prior to

the day aforesaid, or any copy thereof, shall be admitted or used as evidence in any court until a legal stamp, or stamps, denoting the amount of duty charged thereon, shall have been affixed thereto or used thereon, and the initials of the persons using or affixing the same, together with the date when the same is so used or affixed, shall have been placed thereon by such person. And the person desiring to use any such instrument, document, writing, or paper as evidence, or his agent or attorney, is authorized in the presence of the court to stamp the same as heretofore provided by law.

Not to be admitted in evidence without a stamp.

Stamp may be affixed in court.

SEC. 17. *And be it further enacted,* That, in addition to the compensation now allowed to collectors for their services, and that of their deputies, there shall be allowed their necessary and reasonable charges for postage actually paid on letters and documents received or sent and exclusively relating to official business; and in calculating the commission of collectors of internal revenue in districts whence distilled spirits are shipped to be sold in other districts in pursuance of the provisions of the act to which this act is an amendment, the amount of duties due on the quantity of spirits so shipped shall be added to the principal on which the commissions of such collectors are calculated, and a corresponding amount shall be deducted from the principal sum on which the commissions of the collectors in the districts to which such spirits are shipped are calculated: *Provided, however,* That the salary of no collector shall exceed ten thousand dollars, in the aggregate, or more than five thousand dollars exclusive of the expenses of administering the office.

Pay of collectors.

Ante, p. 445.
Postage.

Salary not to exceed \$10,000, &c.

SEC. 18. *And be it further enacted,* That it shall be the duty of the commissioner of internal revenue to pay over to the treasurer of the United States, monthly, or oftener, if required by the Secretary of the Treasury, all public moneys which may come into his hands or possession, for which the treasurer shall give proper receipts and keep a faithful account, and at the end of each month the commissioner, as aforesaid, shall render true and faithful accounts of all public moneys received or paid out, or paid to the treasurer of the United States, exhibiting proper vouchers therefor, and the same shall be received and examined by the fifth auditor of the treasury, who shall thereafter certify the balance, if any, and transmit the accounts, with the vouchers and certificate, to the first comptroller for his decision thereon; and the commissioner, as aforesaid, when such accounts are settled as herein provided for, shall transmit a copy thereof to the Secretary of the Treasury. He shall at all times submit to the Secretary of the Treasury and the comptroller, or either of them, the inspection of moneys in his hands, and shall, prior to the entering upon the duties of his office, execute a bond, with sufficient sureties, to be approved by the Secretary of the Treasury, and by the first comptroller, in a sum of not less than one hundred thousand dollars, payable to the United States, conditioned that said commissioner shall faithfully perform the duties of his office according to law, and shall justly and faithfully account for and pay over to the United States, in obedience to law and in compliance with the order or regulations of the Secretary of the Treasury, all public moneys which may come into his hands or possession, and for the safe-keeping and faithful account of all stamps, adhesive stamps, or vellum, parchment or paper bearing a stamp denoting any duty thereon; which bond shall be filed in the office of the first comptroller of the treasury, and such commissioner shall, from time to time, renew, strengthen, and increase his official bond as the Secretary of the Treasury may direct.

Commissioner to pay over monthly, &c., the moneys in his hands.

Ante, p. 432.

Accounts.

Inspection of moneys in his hands.

Bond.

SEC. 19. *And be it further enacted,* That the President shall appoint in the department of the treasury, by and with the advice and consent of the Senate, a competent person, who shall be called the deputy commissioner of internal revenue, with an annual salary of twenty-five hundred dollars, who shall be charged with such duties in the bureau of

Deputy commissioner of internal revenue.

Salary and duties.

Deputy commissioner.

internal revenue as may be prescribed by the Secretary of the Treasury, or as may be required by law, and who shall act as commissioner of internal revenue in the absence of that officer, and exercise the privilege of franking all letters and documents pertaining to the office of internal revenue.

Revenue agents, their number, duty, and salaries.

SEC. 20. *And be it further enacted,* That the Secretary of the Treasury may appoint not exceeding three revenue agents whose duties shall be under the direction of the Secretary of the Treasury, to aid in the prevention, detection, and punishment of frauds upon the revenue, who shall be paid such compensation as the Secretary of the Treasury may deem just and reasonable, not exceeding two thousand dollars per annum. The above salaries to be paid in the same manner as are other expenses for collecting the revenue.

Cashier of internal duties.

SEC. 21. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, a competent person, who shall be called the cashier of internal duties, with a salary of twenty-five hundred dollars, who shall have charge of the moneys received in the office of the commissioner of internal revenue, and shall perform such duties as may be assigned to his office by said commissioner, under the regulations of the Secretary of the Treasury, and before entering upon his duties as cashier he shall give a bond with sufficient sureties, to be approved by the Secretary of the Treasury and by the solicitor, that he will faithfully account for all the moneys, or other articles of value, belonging to the United States, which may come into his hands, and perform all the duties enjoined upon his office, according to law and regulations, as aforesaid; which bond shall be deposited with the first comptroller of the treasury.

Salary and duties.

Bond.

Assessors' salary.

Ante, p. 438.

SEC. 22. *And be it further enacted,* That in lieu of the pay allowed by law, the several assessors, from the date of their appointment, shall be allowed and paid a salary of fifteen hundred dollars per annum, payable quarterly, and in addition thereto, where the receipts of the collection district shall exceed the sum of two hundred thousand dollars, and shall not exceed the sum of four hundred thousand dollars annually, one half of one per centum upon the excess of receipts over two hundred thousand dollars; where the receipts of a collection district shall exceed four hundred thousand dollars, and shall not exceed eight hundred thousand, one fourth of one per centum upon the excess of receipts over four hundred thousand dollars; where the receipts shall exceed eight hundred thousand dollars, one tenth of one per centum upon such excess; but the salary of no assessor shall in any case exceed the sum of three thousand dollars. And the several assessors shall be allowed and paid the sums actually expended for office rent, not exceeding the rate of five hundred dollars per annum. The commissioner of internal revenue, under the direction of the Secretary of the Treasury, is authorized to allow each assessor such clerks as he may deem necessary for the proper transaction of business, and to fix their compensation. Such assessors shall also be allowed their necessary and reasonable charges for postage actually paid on letters and documents received or sent, and exclusively relating to official business, and for stationery and blank books used in the execution of their duties; and the compensation herein specified shall be in full for all expenses not otherwise particularly authorized. And assistant assessors shall, in addition to pay and charges allowed by law, also be allowed their necessary and reasonable charges for postage actually paid on letters and documents received or sent, and exclusively relating to official business: *Provided,* That the Secretary of the Treasury shall be, and he is hereby, authorized to fix such additional rates of compensation to be made to assessors and assistant assessors in the States of California and Oregon, and the territories, as may appear to him to be just and equitable in consequence of the greater cost of living and travelling in those states and territories, and as may, in his judgment, be necessary to secure the

Not to exceed \$3000.

Office rent allowed.

Clerks and their pay.

Postage.

Stationery, &c.

Assistant-assessors.

Additional compensation to those in California and Oregon.

services of competent and efficient men: *Provided, further,* That the rates of compensation thus allowed shall not exceed the rates paid to similar officers in such states and territories, respectively.

SEC. 23. *And be it further enacted,* That assistant assessors shall make out their accounts for pay and charges allowed by law monthly, specifying each item and including the date of each day of service, and shall transmit the same to the assessor of the district, who shall thereupon examine the same, and, if it appear just and in accordance with law, he shall indorse his approval thereon, but otherwise shall return the same with objections. Any such account so approved may be presented by the assistant assessor to the collector of the district for payment, who shall thereupon pay the same, and, when receipted by the assistant assessor, be allowed therefor upon presentation to the commissioner of internal revenue. Where any account, so transmitted to the assessor, shall be objected to, in whole or in part, the assistant assessor may appeal to the commissioner of internal revenue, whose decision on the case shall be final; and should it appear, at any time, that any assessor has wilfully and corruptly approved any account, as aforesaid, allowing any assistant assessor a sum larger than was due according to law, it shall be the duty of the commissioner of internal revenue, upon proper proof thereof, to deduct the sum so allowed from any pay which may be due to such assessor; or the commissioner as aforesaid may direct a suit to be brought in any court of competent jurisdiction against the assessor or assistant assessor in default, for the recovery of the amount wilfully and corruptly allowed, as hereinbefore mentioned.

Assistant assessors to make out accounts for pay, &c., monthly.

When approved, to be paid by collector.

Appeal from assessor to commissioner.

Penalty on assessor for corruptly approving any account.

SEC. 24. *And be it further enacted,* That if any person or persons shall knowingly exercise or carry on any trade or business, for the exercising or carrying on of which trade or business a license is required, without taking out such license as is in that behalf required, he, she, or they shall, for every such offence, upon conviction thereof, in lieu of or in addition to other penalties now imposed by law, at the discretion of the court, be subject to imprisonment for a term not exceeding two years.

Penalty for knowingly exercising a trade, &c., without license.

Ante, p. 453.

SEC. 25. *And be it further enacted,* That no auctioneer shall be authorized, by virtue of his license as such auctioneer, to sell any goods or other property in any other district than that in which the license shall have been granted, but lawyers, physicians, surgeons, or dentists, having taken out a license as such, shall not be required to take out any additional license in consequence of practising their profession within or beyond the limits of the district where licensed.

Auctioneers.

Ante, p. 455.

Lawyers, physicians, &c.

Ante, p. 459.

SEC. 26. *And be it further enacted,* That, upon the removal of any person or persons from the house or premises at which he, she, or they were authorized by license to exercise or carry on any trade or business mentioned in such license, and authorized by the act to which this act is an amendment, it shall and may be lawful for the person or persons authorized to grant licenses to authorize and empower, by indorsement on such license or otherwise, as the commissioner of internal revenue shall direct, the person or persons so removing, as aforesaid, to any other place, to carry on the trade or business specified in such license at the place to which such person or persons may have removed, for or during the residue of the term for which such license was originally granted, without taking out any fresh license or payment of any additional duty or any fee thereupon for the residue of such term, and until the expiration thereof: *Provided, always,* That a fresh entry of the premises at which such trade or business shall continue to be so exercised or carried on, as aforesaid, shall thereupon be made by and in the name or names of the person or persons to whom such authority, as aforesaid, shall be granted.

Persons licensed and removing, may be authorized to carry on business at place of removal.

Ante, p. 454.

New entry to be made.

Who to be deemed manufacturer of articles in Schedule C.

Ante, pp. 478, 479.

SEC. 27. *And be it further enacted,* That any person who shall offer for sale, after the thirtieth of September, eighteen hundred and sixty-three, any of the articles named in Schedule C. of the act to which this

act is an amendment, whether the articles so offered are imported, or are of foreign or domestic manufacture, shall be deemed the manufacturer thereof, and subject to all the duties, liabilities, and penalties in said act imposed in regard to the sale of such articles without the use of the proper stamp or stamps, as in said act is required.

Medicines, &c., intended for exportation may be manufactured where.

Proviso.

How removed.

What may be carried to warehouse free of duty,

or transferred.

Imports, in original packages, may be removed thither.

Nothing to be removed but for exportation.

Labor to be under supervision of officer, &c.

Articles manufactured from materials which have paid duty, to be exempt.

SEC. 28. *And be it further enacted*, That all medicines, preparations, compositions, perfumery, and cosmetics, intended for exportation, as provided for in section one hundred and nine of the act to which this act is an amendment, in order to be manufactured and sold or removed, without being charged with duty, and without having a stamp affixed thereto, may, under such rules and regulations as the Secretary of the Treasury may prescribe, be made and manufactured in warehouses known and designated in treasury regulations as bonded warehouses, class two: *Provided*, such manufacturer shall first give satisfactory bonds to the collector of internal revenue for the faithful observance of the rules and regulations herein provided for, in amount not less than half required by the regulations of the Secretary of the Treasury from persons allowed bonded warehouses, class two. Such goods, when manufactured in such warehouses, may be removed for exportation, under the direction of the revenue officer having charge thereof, without being charged with duty, and without having a stamp affixed thereto. Any manufacturer of the articles aforesaid, or of any of them, having such bonded warehouse as aforesaid, shall be at liberty, under such rules and regulations as the Secretary of the Treasury may prescribe, to convey therein any materials to be used in such manufacture which are allowed by the provisions of the said act to be exported free from tax or duty, as well as the necessary materials, implements, packages, vessels, brands, and labels for the preparation, putting up, and export of the said manufactured articles, and every article so used shall be exempt from stamp and excise duty. Articles and materials so to be used may be transferred from any bonded warehouse in which the same may be, under such regulations as the Secretary of the Treasury may prescribe, into any bonded warehouse, class two, in which such manufacture may be conducted, and may be used in such manufacture, and, when so used, shall be exempt from stamp and excise duty; and the receipt of the officer of the revenue in charge shall be received as a voucher for the manufacture of such articles. Any materials imported into the United States may, under such rules as the Secretary of the Treasury may prescribe, and under the direction of the proper officer of the customs, be removed in original packages from on ship-board, or from the bonded warehouses in which the same may be, into the bonded warehouse, class two, in which such manufacture may be carried on, for the purpose of being used in such manufacture, without payment of duties thereon, and may there be used in such manufacture. No article so removed, nor any article manufactured in said bonded warehouse, class two, shall be taken therefrom except for exportation, under the direction of the proper officer of the customs having charge thereof, whose certificate, describing the articles by their marks, or otherwise, the quantity, the date of importation, and name of vessel, with such additional particulars as may from time to time be required, shall be received by the collector of customs in cancellation of the bonds, or return of the amount of foreign import duties. All labor performed and services rendered under these regulations shall be under the supervision of an officer of the customs, and at the expense of the manufacturer.

SEC. 29. *And be it further enacted*, That spokes, hubs, felloes, grindstones, coke, silver bullion, rolled or prepared for platers' use exclusively; materials for the manufacture of hoop-skirts exclusively, and unfitted for other use, (such as steel wire, rolled, tempered, or covered, cut tapes, and small wares for joining hoops together;) spindles, and castings of all descriptions, where made exclusively for instruments, articles, or machin-

ery upon which duties are assessed and paid, shall be exempt from duty; and all goods, wares, and merchandise, and articles made or manufactured from materials which have been subject to and upon which internal duties have been actually paid, or materials imported upon which duties have been paid, or upon which no duties are imposed by law, where the increased value of such goods, wares, and merchandise, and articles so made and manufactured, shall not exceed the amount of five per centum ad valorem, shall be, and hereby are, exempt from duty.

SEC. 30. *And be it further enacted*, That on all cloths of silk, cotton, or other material, dyed, printed, bleached, manufactured, or prepared into other fabrics, which were removed from the place of manufacture prior to the first of September, eighteen hundred and sixty-two, or which have been or shall be imported, the duty or tax of three per centum shall be assessed only upon the increased value thereof: *Provided, further*, That whenever the duty has been assessed, or assessed and collected at the full value thereof upon cloths of silk, cotton, or other material manufactured and removed from the place of manufacture prior to the first of September, eighteen hundred and sixty-two, or which were imported prior to the passage of this act, and which have been dyed, printed, bleached, manufactured, or otherwise prepared into other fabrics, since the said first of September, eighteen hundred and sixty-two, the commissioner of internal revenue, subject to the regulation of the Secretary of the Treasury, shall be, and he hereby is, authorized and directed to remit, refund, and pay back such proportion of said duties as were assessed upon the value of such cloths before the same were so dyed, printed, bleached, manufactured, or otherwise prepared.

On certain cloths, tax to be only on increased value.

Ante, p. 466.

Proviso.

Duties assessed upon full value to be remitted.

SEC. 31. *And be it further enacted*, That the commissioner of internal revenue, subject to the regulations of the Secretary of the Treasury, shall be, and hereby is, authorized to remit, refund, and pay back all duties erroneously or illegally assessed or collected, and all judgments or sums of money recovered in any court against any collector or deputy collector for any duties or licenses paid under protest.

Duties illegally collected may be paid back.

SEC. 32. *And be it further enacted*, That manufacturers of lard oil, lubricating oil, and linseed oil shall be subject to the provisions of the act to which this is an amendment, relating to distillers of spirituous liquors, and designed for the purpose of ascertaining the quantity produced, so far as the same may, in the judgment of the commissioner of internal revenue, and under regulations to be prescribed by him, be deemed necessary.

Manufacturers of lard and lubricating oil.

Ante, p. 448.

SEC. 33. *And be it further enacted*, That the provisions of the act to which this act is an amendment, in relation to returns by manufacturers, and the payment and collection of duties upon manufactured articles, enumerated in section seventy-five of said act, shall be, and hereby are, made applicable to the producers of articles which are also mentioned in said section, and on which taxes are levied.

Producers of certain articles subject to same provisions as manufacturers.

Ante, p. 462.

SEC. 34. *And be it further enacted*, That there shall be designated by the collector in every district where the same may be necessary one or more inspectors of manufactured tobacco, who shall take an oath faithfully to perform their duties in such form as the commissioner of internal revenue shall prescribe, and who shall be entitled to receive such fees as may be fixed and prescribed by said commissioner. And all manufactured tobacco shall, before the same is used or removed for consumption or sale, be inspected and weighed by an inspector, designated as aforesaid, who shall mark upon the box or other package containing such tobacco, in a manner to be prescribed by said commissioner, the quality and weight of the contents of such package, with the date of inspection, and the name of the inspector. The fees of such inspector shall in all cases be paid by the owner of the tobacco so inspected and weighed. The penalties for the fraudulent marking of any package of tobacco, and for

Inspectors of manufactured tobacco.

Oath.

Fees.

Manufactured tobacco to be inspected.

Ante, p. 463.

Fees, how paid.

Penalties for fraudulently marking

or changing marks.

Tobacco may be removed for export.

Bond.

Proviso.

Drawback, evidence of exportation to entitle to benefit of.

Ante, p. 488.

Bureau of exports of New York to have charge.

Power of head of the bureau.

Proviso.

Collectors, &c., in California, Oregon, and Nevada, how paid.

This act to take effect on its passage.

Saving of existing laws.

Drawback on cordials, &c.

any fraudulent attempt to evade the duties on tobacco, so inspected, by changing in any manner the package or the marks thereon, shall be the same as are provided in relation to distilled spirits by existing laws. That manufactured tobacco may be removed from the place of manufacture for the purpose of being exported, after the quantity and quality to be so removed shall have been ascertained by inspection, according to the provisions of this act, upon and with the written permission of the collector or deputy collector of the district, without payment of the duties thereon previous to such removal, the owner thereof having given bond to the United States, with sufficient sureties, in the manner and form and under regulations to be prescribed by the commissioner of internal revenue, and in at least double the amount of said duties to export the said manufactured tobacco or pay the duties thereon within such time as may be stated in the bond; and all the provisions relative to the exportation of distilled spirits in bond, contained in the act to which this is an amendment, as far as the same may be applicable, shall be applied to the exportation of tobacco in bond: *Provided, however*, That nothing herein contained shall be considered to apply to snuff, fine-cut tobacco, or cigars.

SEC. 35. *And be it further enacted*, That the evidence of exportation to entitle to benefit of drawback under the act to provide internal revenue to which this act is an amendment, and the rules and regulations pertaining thereto, shall be the same as those which are now or may be required to entitle the exporter to benefit of drawback under the acts relating to drawbacks of duties on imports, with such other rules and regulations as the Secretary of the Treasury may prescribe; that the bureau in charge of exports for the benefit of drawback under the acts as aforesaid at the port of New York, (and at such other ports as the Secretary of the Treasury may designate,) shall have charge of the same under the act to which this act is an amendment; that the head of such bureau shall be invested with the authority and receive the emoluments of a deputy of the collector of customs; and that the said bureau shall, under the direction of the collector of the customs, embrace the supervision of all exports entitled to remission of duties, or to drawback of duties paid, under the acts above mentioned; the ascertaining and certifying such duties; the taking and cancellation of required bonds; the charge of all export entry papers for benefit of drawback and officers' returns thereon, and of certificates in proof of the landing of such exports abroad: *Provided*, That nothing herein contained shall be construed to change or modify the existing mode of paying the drawbacks and debentures allowed by the laws before referred to.

SEC. 36. *And be it further enacted*, That the assistant treasurer of the United States at San Francisco is required, under such instructions as the commissioner of internal revenue shall prescribe, to audit, allow, and pay the accounts for services of the collectors and assessors of California, Oregon, and Nevada Territory, subject to the revision of the said commissioner.

SEC. 37. *And be it further enacted*, That this act, except where otherwise indicated, shall take effect from and after its passage, and all acts and parts of acts repugnant to the provisions of this act be, and the same are hereby, repealed: *Provided*, That the existing laws shall extend to and be in force, as modified, for the collection of the duties imposed by this act, for the prosecution and punishment of all offences, and for the recovery, collection, distribution and remission of all fines, penalties, and forfeitures, as fully and effectually as if every regulation, penalty, forfeiture, provision, clause, matter, and thing to that effect, in the existing laws contained, had been inserted in, and reenacted by, this act.

SEC. 38. *And be it further enacted*, That from and after the date when this act takes effect, there shall be an allowance or drawback on cordials and other liquors manufactured wholly or in part of domestic spirits on

which a duty shall have been paid, equal in amount to the duty paid on such spirits when exported, with such deduction as the Secretary of the Treasury may think reasonable, not exceeding five per centum of the amount of duty so paid; the amount to be ascertained in the manner and under the regulations prescribed in section on[e] hundred and sixteen of the act to which this is additional, and the same to be subject to all the provisions of said section applicable thereto; *Provided*, That no such allowance shall be made unless the value of the spirits used in such manufacture shall exceed one half of the whole value of the article manufactured as aforesaid.

Ante, p. 488.

Proviso.

APPROVED, March 3, 1863.

CHAP. LXXV. — *An Act for enrolling and calling out the national Forces, and for other Purposes.*

March 3, 1863.

Whereas there now exist in the United States an insurrection and rebellion against the authority thereof, and it is, under the Constitution of the United States, the duty of the government to suppress insurrection and rebellion, to guarantee to each State a republican form of government, and to preserve the public tranquillity; and whereas, for these high purposes, a military force is indispensable, to raise and support which all persons ought willingly to contribute; and whereas no service can be more praiseworthy and honorable than that which is rendered for the maintenance of the Constitution and Union, and the consequent preservation of free government: Therefore —

Preamble.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all able-bodied male citizens of the United States, and persons of foreign birth who shall have declared on oath their intention to become citizens under and in pursuance of the laws thereof, between the ages of twenty and forty-five years, except as hereinafter excepted, are hereby declared to constitute the national forces, and shall be liable to perform military duty in the service of the United States when called out by the President for that purpose.

Who constitute the national forces, and are liable to military duty.

SEC. 2. *And be it further enacted*, That the following persons be, and they are hereby, excepted and exempt from the provisions of this act, and shall not be liable to military duty under the same, to wit: Such as are rejected as physically or mentally unfit for the service; also, First the Vice-President of the United States, the judges of the various courts of the United States, the heads of the various executive departments of the government, and the governors of the several States. Second, the only son liable to military duty of a widow dependent upon his labor for support. Third, the only son of aged or infirm parent or parents dependent upon his labor for support. Fourth, where there are two or more sons of aged or infirm parents subject to draft, the father, or, if he be dead, the mother, may elect which son shall be exempt. Fifth, the only brother of children not twelve years old, having neither father nor mother dependent upon his labor for support. Sixth, the father of motherless children under twelve years of age dependent upon his labor for support. Seventh, where there are a father and sons in the same family and household, and two of them are in the military service of the United States as non-commissioned officers, musicians, or privates, the residue of such family and household, not exceeding two, shall be exempt. And no persons but such as are herein excepted shall be exempt: *Provided, however*, That no person who has been convicted of any felony shall be enrolled or permitted to serve in said forces.

Who are exempt.

No person convicted of felony permitted to serve.

SEC. 3. *And be it further enacted*, That the national forces of the United States not now in the military service, enrolled under this act, shall be divided into two classes: the first of which shall comprise all persons sub-

National forces in two classes.
1st class.

2d class.

ject to do military duty between the ages of twenty and thirty-five years, and all unmarried persons subject to do military duty above the age of thirty-five and under the age of forty-five; the second class shall comprise all other persons subject to do military duty, and they shall not, in any district, be called into the service of the United States until those of the first class shall have been called.

The United States to be divided into enrolment districts.

SEC. 4. *And be it further enacted*, That, for greater convenience in enrolling, calling out, and organizing the national forces, and for the arrest of deserters and spies of the enemy, the United States shall be divided into districts, of which the District of Columbia shall constitute one, each territory of the United States shall constitute one or more, as the President shall direct, and each congressional district of the respective states, as fixed by a law of the state next preceding the enrolment, shall constitute one: *Provided*, That in states which have not by their laws been divided into two or more congressional districts, the President of the United States shall divide the same into so many enrolment districts as he may deem fit and convenient.

Provost-marshal for each.

Rank, pay, &c.

Provost-marshal-general.

Office.

Rank, pay, &c.

Duty of provost-marshal-general.

SEC. 5. *And be it further enacted*, That for each of said districts there shall be appointed by the President a provost-marshal, with the rank, pay, and emoluments of a captain of cavalry, or an officer of said rank shall be detailed by the President, who shall be under the direction and subject to the orders of a provost-marshal-general, appointed or detailed by the President of the United States, whose office shall be at the seat of government, forming a separate bureau of the War Department, and whose rank, pay, and emoluments shall be those of a colonel of cavalry.

SEC. 6. *And be it further enacted*, That it shall be the duty of the provost-marshal-general, with the approval of the Secretary of War, to make rules and regulations for the government of his subordinates; to furnish them with the names and residences of all deserters from the army, or any of the land forces in the service of the United States, including the militia, when reported to him by the commanding officers; to communicate to them all orders of the President in reference to calling out the national forces; to furnish proper blanks and instructions for enrolling and drafting; to file and preserve copies of all enrolment lists; to require stated reports of all proceedings on the part of his subordinates; to audit all accounts connected with the service under his direction; and to perform such other duties as the President may prescribe in carrying out the provisions of this act.

of provost-marshals.

SEC. 7. *And be it further enacted*, That it shall be the duty of the provost-marshals to arrest all deserters, whether regulars, volunteers, militiamen, or persons called into the service under this or any other act of Congress, wherever they may be found, and to send them to the nearest military commander or military post; to detect, seize, and confine spies of the enemy, who shall without unreasonable delay be delivered to the custody of the general commanding the department in which they may be arrested, to be tried as soon as the exigencies of the service permit; to obey all lawful orders and regulations of the provost-marshal-general, and such as may be prescribed by law, concerning the enrolment and calling into service of the national forces.

Board of enrolment, how constituted, &c.

SEC. 8. *And be it further enacted*, That in each of said districts there shall be a board of enrolment, to be composed of the provost-marshal, as president, and two other persons, to be appointed by the President of the United States, one of whom shall be a licensed and practising physician and surgeon.

Enrolment districts to be subdivided.

SEC. 9. *And be it further enacted*, That it shall be the duty of the said board to divide the district into sub-districts of convenient size, if they shall deem it necessary, not exceeding two, without the direction of the Secretary of War, and to appoint, on or before the tenth day of March next, and in each alternate year thereafter, an enrolling officer for each

sub-district, and to furnish him with proper blanks and instructions; and he shall immediately proceed to enrol all persons subject to military duty, noting their respective places of residence, ages on the first day of July following, and their occupation, and shall, on or before the first day of April, report the same to the board of enrolment, to be consolidated into one list, a copy of which shall be transmitted to the provost-marshal-general on or before the first day of May succeeding the enrolment: *Provided, nevertheless*, That if from any cause the duties prescribed by this section cannot be performed within the time specified, then the same shall be performed as soon thereafter as practicable.

Enrolling officers.

Duties.

Proviso.

SEC. 10. *And be it further enacted*, That the enrolment of each class shall be made separately, and shall only embrace those whose ages shall be on the first day of July thereafter between twenty and forty-five years.

Each class to be enrolled separately.

SEC. 11. *And be it further enacted*, That all persons thus enrolled shall be subject, for two years after the first day of July succeeding the enrolment, to be called into the military service of the United States, and to continue in service during the present rebellion, not, however, exceeding the term of three years; and when called into service shall be placed on the same footing, in all respects, as volunteers for three years, or during the war, including advance pay and bounty as now provided by law.

Persons enrolled, subject to be called into military service.

SEC. 12. *And be it further enacted*, That whenever it may be necessary to call out the national forces for military service, the President is hereby authorized to assign to each district the number of men to be furnished by said district; and thereupon the enrolling board shall, under the direction of the President, make a draft of the required number, and fifty per cent. in addition, and shall make an exact and complete roll of the names of the persons so drawn, and of the order in which they were drawn, so that the first drawn may stand first upon the said roll, and the second may stand second, and so on; and the persons so drawn shall be notified of the same within ten days thereafter, by a written or printed notice, to be served personally or by leaving a copy at the last place of residence, requiring them to appear at a designated rendezvous to report for duty. In assigning to the districts the number of men to be furnished therefrom, the President shall take into consideration the number of volunteers and militia furnished by and from the several states in which said districts are situated, and the period of their service since the commencement of the present rebellion, and shall so make said assignment as to equalize the numbers among the districts of the several states, considering and allowing for the numbers already furnished as aforesaid and the time of their service.

President to assign number to be furnished by each district.

Draft to be made.

Roll.

Persons drawn, how notified.

Principle of assignment.

Number in several states to be equalized.

SEC. 13. *And be it further enacted*, That any person drafted and notified to appear as aforesaid, may, on or before the day fixed for his appearance, furnish an acceptable substitute to take his place in the draft; or he may pay to such person as the Secretary of War may authorize to receive it, such sum, not exceeding three hundred dollars, as the Secretary may determine, for the procurement of such substitute; which sum shall be fixed at a uniform rate by a general order made at the time of ordering a draft for any state or territory; and thereupon such person so furnishing the substitute, or paying the money, shall be discharged from further liability under that draft. And any person failing to report after due service of notice, as herein prescribed, without furnishing a substitute, or paying the required sum therefor, shall be deemed a deserter, and shall be arrested by the provost-marshal and sent to the nearest military post for trial by court-martial, unless, upon proper showing that he is not liable to do military duty, the board of enrolment shall relieve him from the draft.

Those drafted may furnish substitutes,

or may pay not over \$300.

Those drafted and notified, and not finding substitute, &c., to be deemed deserters.

SEC. 14. *And be it further enacted*, That all drafted persons shall, on arriving at the rendezvous, be carefully inspected by the surgeon of the board, who shall truly report to the board the physical condition of each

Persons drafted to be inspected.

Claims for exemption on account of disability.

Penalty on surgeon for neglect, &c., in inspection.

Those drafted and not wanted, to be discharged.

Travel.

Expenses, how paid.

Provost.

Those furnishing substitutes to be exempt.

Pay and allowances of substitutes.

Bounty to volunteers, &c., now in service for reenlistment.

1861, ch. 9, § 5. *Ante*, p. 269.

When companies of a regiment may be consolidated

Proviso.

Officers in such case reduced.

Officers not to be appointed to regiments re-

one; and all persons drafted and claiming exemption from military duty on account of disability, or any other cause, shall present their claims to be exempted to the board, whose decision shall be final.

SEC. 15. *And be it further enacted*, That any surgeon charged with the duty of such inspection who shall receive from any person whomsoever any money or other valuable thing, or agree, directly or indirectly, to receive the same to his own or another's use for making an imperfect inspection or a false or incorrect report, or who shall wilfully neglect to make a faithful inspection and true report, shall be tried by a court-martial, and, on conviction thereof, be punished by fine not exceeding five hundred dollars nor less than two hundred, and be imprisoned at the discretion of the court, and be cashiered and dismissed from the service.

SEC. 16. *And be it further enacted*, That as soon as the required number of able-bodied men liable to do military duty shall be obtained from the list of those drafted, the remainder shall be discharged; and all drafted persons reporting at the place of rendezvous shall be allowed travelling pay from their places of residence; and all persons discharged at the place of rendezvous shall be allowed travelling pay to their places of residence; and all expenses connected with the enrolment and draft, including subsistence while at the rendezvous, shall be paid from the appropriation for enrolling and drafting, under such regulations as the President of the United States shall prescribe; and all expenses connected with the arrest and return of deserters to their regiments, or such other duties as the provost-marshal shall be called upon to perform, shall be paid from the appropriation for arresting deserters, under such regulations as the President of the United States shall prescribe: *Provided*, The provost-marshals shall in no case receive commutation for transportation or for fuel and quarters, but only for forage, when not furnished by the government, together with actual expenses of postage, stationery, and clerk hire authorized by the provost-marshal-general.

SEC. 17. *And be it further enacted*, That any person enrolled and drafted according to the provisions of this act who shall furnish an acceptable substitute, shall thereupon receive from the board of enrolment a certificate of discharge from such draft, which shall exempt him from military duty during the time for which he was drafted; and such substitute shall be entitled to the same pay and allowances provided by law as if he had been originally drafted into the service of the United States.

SEC. 18. *And be it further enacted*, That such of the volunteers and militia now in the service of the United States as may reenlist to serve one year, unless sooner discharged, after the expiration of their present term of service, shall be entitled to a bounty of fifty dollars, one half of which to be paid upon such reenlistment, and the balance at the expiration of the term of reenlistment; and such as may reenlist to serve for two years, unless sooner discharged, after the expiration of their present term of enlistment, shall receive, upon such reenlistment, twenty-five dollars of the one hundred dollars bounty for enlistment provided by the fifth section of the act approved twenty-second of July, eighteen hundred and sixty-one, entitled "An act to authorize the employment of volunteers to aid in enforcing the laws and protecting public property."

SEC. 19. *And be it further enacted*, That whenever a regiment of volunteers of the same arm, from the same State, is reduced to one half the maximum number prescribed by law, the President may direct the consolidation of the companies of such regiment: *Provided*, That no company so formed shall exceed the maximum number prescribed by law. When such consolidation is made, the regimental officers shall be reduced in proportion to the reduction in the number of companies.

SEC. 20. *And be it further enacted*, That whenever a regiment is reduced below the minimum number allowed by law, no officers shall be

appointed in such regiment beyond those necessary for the command of such reduced number.

SEC. 21. *And be it further enacted,* That so much of the fifth section of the act approved seventeenth July, eighteen hundred and sixty-two, entitled, "An act to amend an act calling forth the militia to execute the laws of the Union," and so forth, as requires the approval of the President to carry into execution the sentence of a court-martial, be, and the same is hereby, repealed, as far as relates to carrying into execution the sentence of any court-martial against any person convicted as a spy or deserter, or of mutiny or murder; and hereafter sentences in punishment of these offences may be carried into execution upon the approval of the commanding-general in the field.

SEC. 22. *And be it further enacted,* That courts-martial shall have power to sentence officers who shall absent themselves from their commands without leave, to be reduced to the ranks to serve three years or during the war.

SEC. 23. *And be it further enacted,* That the clothes, arms, military outfits, and accoutrements furnished by the United States to any soldier, shall not be sold, bartered, exchanged, pledged, loaned, or given away; and no person not a soldier, or duly authorized officer of the United States, who has possession of any such clothes, arms, military outfits, or accoutrements, furnished as aforesaid, and which have been the subjects of any such sale, barter, exchange, pledge, loan, or gift, shall have any right, title, or interest therein; but the same may be seized and taken wherever found by any officer of the United States, civil or military, and shall thereupon be delivered to any quartermaster, or other officer authorized to receive the same; and the possession of any such clothes, arms, military outfits, or accoutrements, by any person not a soldier or officer of the United States, shall be *prima facie* evidence of such a sale, barter, exchange, pledge, loan, or gift, as aforesaid.

SEC. 24. *And be it further enacted,* That every person not subject to the rules and articles of war who shall procure or entice, or attempt to procure or entice, a soldier in the service of the United States to desert; or who shall harbor, conceal, or give employment to a deserter, or carry him away, or aid in carrying him away, knowing him to be such; or who shall purchase from any soldier his arms, equipments, ammunition, uniform, clothing, or any part thereof; and any captain or commanding officer of any ship or vessel, or any superintendent or conductor of any railroad, or any other public conveyance, carrying away any such soldier as one of his crew or otherwise, knowing him to have deserted, or shall refuse to deliver him up to the orders of his commanding officer, shall, upon legal conviction, be fined, at the discretion of any court having cognizance of the same, in any sum not exceeding five hundred dollars, and he shall be imprisoned not exceeding two years nor less than six months.

SEC. 25. *And be it further enacted,* That if any person shall resist any draft of men enrolled under this act into the service of the United States, or shall counsel or aid any person to resist any such draft; or shall assault or obstruct any officer in making such draft, or in the performance of any service in relation thereto; or shall counsel any person to assault or obstruct any such officer, or shall counsel any drafted men not to appear at the place of rendezvous, or wilfully dissuade them from the performance of military duty as required by law, such person shall be subject to summary arrest by the provost-marshal, and shall be forthwith delivered to the civil authorities, and, upon conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding two years, or by both of said punishments.

SEC. 26. *And be it further enacted,* That, immediately after the passage of this act, the President shall issue his proclamation declaring that all soldiers now absent from their regiments without leave may return

duced below the minimum.

Sentence of court-martial on a person convicted of being a spy, deserter, &c., need not be approved by the President.

1862, ch. 201, § 5. *Ante*, p. 598.

Officers absenting themselves may be reduced to the ranks.

Clothes, arms, &c., of soldiers not to be sold, &c.

Persons, not soldiers, &c., having possession, not to have any interest therein.

Possession by a person not an officer to be *prima facie* evidence of sale.

Penalty for procuring or enticing to desert,

for harboring deserters,

for purchasing arms of soldier,

for carrying such deserter,

for refusing to deliver him up, when ordered.

Penalty for resisting draft, &c.,

President to issue proclamation to soldiers absent, to return, &c.

Deserters not returning, how punished.

Depositions of witnesses out of the district.

Judge advocate may appoint a reporter.

Duty.

Oath.

Continuances.

Prisoners in close confinement to be tried within sixty days.

Certain offences by persons in the military service, to be punished by court-martial.

Punishments therefor.

Pay, &c., of officers absent with leave, except for sickness, &c., of those absent without leave.

Furloughs to non-commissioned officers and privates.

President may, during the rebellion, call forth the national forces.

Those drafted to be assigned to any service.

Details to special service, how made.

Enlistments from volunteers

within a time specified to such place or places as he may indicate in his proclamation, and be restored to their respective regiments without punishment, except the forfeiture of their pay and allowances during their absence; and all deserters who shall not return within the time so specified by the President shall, upon being arrested, be punished as the law provides.

SEC. 27. *And be it further enacted*, That depositions of witnesses residing beyond the limits of the state, territory, or district in which military courts shall be ordered to sit, may be taken in cases not capital by either party, and read in evidence; provided the same shall be taken upon reasonable notice to the opposite party, and duly authenticated.

SEC. 28. *And be it further enacted*, That the judge advocate shall have power to appoint a reporter, whose duty it shall be to record the proceedings of and testimony taken before military courts instead of the judge advocate; and such reporter may take down such proceedings and testimony in the first instance in short-hand. The reporter shall be sworn or affirmed faithfully to perform his duty before entering upon it.

SEC. 29. *And be it further enacted*, That the court shall, for reasonable cause, grant a continuance to either party for such time and as often as shall appear to be just: *Provided*, That if the prisoner be in close confinement, the trial shall not be delayed for a period longer than sixty days.

SEC. 30. *And be it further enacted*, That in time of war, insurrection, or rebellion, murder, assault and battery with an intent to kill, manslaughter, mayhem, wounding by shooting or stabbing with an intent to commit murder, robbery, arson, burglary, rape, assault and battery with an intent to commit rape, and larceny, shall be punishable by the sentence of a general court-martial or military commission, when committed by persons who are in the military service of the United States, and subject to the articles of war; and the punishments for such offences shall never be less than those inflicted by the laws of the state, territory, or district in which they may have been committed.

SEC. 31. *And be it further enacted*, That any officer absent from duty with leave, except for sickness or wounds, shall, during his absence, receive half of the pay and allowances prescribed by law, and no more; and any officer absent without leave shall, in addition to the penalties prescribed by law or a court-martial, forfeit all pay or allowances during such absence.

SEC. 32. *And be it further enacted*, That the commanders of regiments and of batteries in the field, are hereby authorized and empowered to grant furloughs for a period not exceeding thirty days at any one time to five per centum of the non-commissioned officers and privates, for good conduct in the line of duty, and subject to the approval of the commander of the forces of which such non-commissioned officers and privates form a part.

SEC. 33. *And be it further enacted*, That the President of the United States is hereby authorized and empowered, during the present rebellion, to call forth the national forces, by draft, in the manner provided for in this act.

SEC. 34. *And be it further enacted*, That all persons drafted under the provisions of this act shall be assigned by the President to military duty in such corps, regiments, or other branches of the service as the exigencies of the service may require.

SEC. 35. *And be it further enacted*, That hereafter details to special service shall only be made with the consent of the commanding officer of forces in the field; and enlisted men, now or hereafter detailed to special service, shall not receive any extra pay for such services beyond that allowed to other enlisted men.

SEC. 36. *And be it further enacted*, That general orders of the War

Department, numbered one hundred and fifty-four and one hundred and sixty-two, in reference to enlistments from the volunteers into the regular service, be, and the same are hereby, rescinded; and hereafter no such enlistments shall be allowed.

to regular service, not allowed.

SEC. 37. *And be it further enacted*, That the grades created in the cavalry forces of the United States by section eleven of the act approved seventeenth July, eighteen hundred and sixty-two, and for which no rate of compensation has been provided, shall be paid as follows, to wit: Regimental commissary the same as regimental quartermaster; chief trumpeter the same as chief bugler; *sad[d]*ler-sergeant the same as regimental commissary-sergeant; company commissary-sergeant the same as company quartermaster's-sergeant: *Provided*, That the grade of supernumerary second lieutenant, and two teamsters for each company, and one chief farrier and blacksmith for each regiment, as allowed by said section of that act, be, and they are hereby, abolished; and each cavalry company may have two trumpeters, to be paid as buglers; and each regiment shall have one veterinary surgeon, with the rank of a regimental sergeant-major, whose compensation shall be seventy-five dollars per month.

Pay of grades in cavalry service. 1862, ch. 201, § 11. *Ante*, p. 599.

Certain grades abolished, and certain established.

SEC. 38. *And be it further enacted*, That all persons who, in time of war or of rebellion against the supreme authority of the United States, shall be found lurking or acting as spies, in or about any of the fortifications, posts, quarters, or encampments of any of the armies of the United States, or elsewhere, shall be triable by a general court-martial or military commission, and shall, upon conviction, suffer death.

Spies, on conviction, to suffer death.

APPROVED, March 3, 1863.

CHAP. LXXVI. — *An Act to prevent and punish Frauds upon the Revenue, to provide for the more certain and speedy Collection of Claims in Favor of the United States, and for other Purposes.*

March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of July, eighteen hundred and sixty-three, all invoices of goods, wares, and merchandise imported from any foreign country into the United States shall be made in triplicate, and signed by the person or persons owning or shipping said goods, wares, or merchandise, if the same have actually been purchased, or by the manufacturer or owner thereof, if the same have been procured otherwise than by purchase, or by the duly authorized agent of such purchaser, manufacturer, or owner; and said invoices shall, at or before the shipment thereof, be produced to the consul, vice-consul, or commercial agent of the United States nearest the place of shipment for the use of the United States, and shall have indorsed thereon, when so produced, a declaration signed by said purchaser, manufacturer, owner, or agent, setting forth that said invoice is in all respects true; that it contains (if the goods, wares, and merchandise mentioned therein are subject to ad valorem duty, and were obtained by purchase) a true and full statement of the time when and the place where the same were purchased, and the actual cost thereof, and of all charges thereon; and that no discounts, bounties, or drawbacks are contained in said invoice but such as have actually been allowed thereon; and when obtained in any other manner than by purchase, the actual market value thereof at the time and place when and where the same were procured or manufactured; and if subject to specific duty, the actual quantity thereof; and that no different invoice of the goods, wares, or merchandise, mentioned in the invoice so produced has been or will be furnished to any one. If said goods, wares, or merchandise have been actually purchased, said declaration shall also contain a statement that the currency in which said invoice is made out is the currency which was actually paid for said goods, wares, or merchandise by the purchaser. And the person so producing

Invoices of imports of foreign goods, to be in triplicate after July 1, 1863. How signed.

To be produced to consul.

Declaration indorsed thereon.

Consul, &c., to make certificate on each, said invoice shall at the same time declare to said consul, vice-consul, or commercial agent the port in the United States at which it is intended to make entry of said goods, wares, or merchandise; whereupon the said consul, vice-consul, or commercial agent shall indorse upon each of said triplicates a certificate, under his hand and official seal, stating that said invoice has been produced to him, with the date of such production, and the name of the person by whom the same was produced, and the port in the United States at which it shall be the declared intention to make entry of the goods, wares, or merchandise therein mentioned. And thereupon the said consul, vice-consul, or commercial agent shall deliver to the person producing the same one of said triplicates, to be used in making entry of said goods, wares, or merchandise; shall file another in his office, to be there carefully preserved; and shall, as soon as practicable, transmit the remaining one to the collector of the port of the United States at which it shall be declared to be the intention to make entry of said goods, wares, or merchandise. And no goods, wares, or merchandise imported into the United States from any foreign place or country after said first day of July, eighteen hundred and sixty-three, shall be admitted to an entry unless the invoice presented shall in all respects conform to the requirements hereinbefore mentioned, and shall have thereon the certificate of the consul, vice-consul, or commercial agent hereinbefore specified, nor unless said invoice be verified at the time of making such entry by the oath or affirmation of the owner or consignee, or the authorized agent of the owner or consignee thereof, certifying that the said invoice and the declaration thereon are in all respects true, and were made by the person by whom the same purports to have been made, nor, except as hereinafter provided, unless the triplicate transmitted by said consul, vice-consul, or commercial agent to the collector shall have been received by him. And if any such owner, consignee, or agent, of any goods, wares, or merchandise, shall knowingly make, or attempt to make, an entry thereof by means of any false invoice, or false certificate of a consul, vice-consul, or commercial agent, or of any invoice which shall not contain a true statement of all the particulars hereinbefore required, or by means of any other false or fraudulent document or paper, or of any other false or fraudulent practice or appliance whatsoever, said goods, wares, and merchandise, or their value, shall be forfeited and disposed of as other forfeitures for violation of the revenue laws: *Provided*, That where, from a change of the destination of any such goods, wares, or merchandise, after the production of the invoice thereof to the consul, vice-consul, or commercial agent, as hereinbefore provided, or from other cause, the triplicate transmitted to the collector of the port to which such goods, wares, or merchandise were originally destined, shall not have been received at the port where the same actually arrive, and where it is desired to make entry thereof, said goods, wares, and merchandise may be admitted to an entry on the execution by the owner, consignee, or agent of a bond, with sufficient security, in double the amount of duty apparently due, conditioned for the payment of the duty which shall be found to be actually due thereon. And it shall be the duty of the collector of the port where such entry shall be made immediately to notify the consul, vice-consul, or commercial agent, to whom such invoice shall have been produced, to transmit to such collector a certified copy thereof; and it shall be the duty of such consul, vice-consul, or commercial agent to transmit the same accordingly without delay; and said duty shall not be finally liquidated until such triplicate, or a certified copy thereof, shall have been received: *Provided*, That such liquidation shall not be delayed longer than eighteen months from the time of making such entry: *And provided, further*, That when, from accident or other cause, it shall be impracticable for the person desiring to make entry of any goods, wares, or merchandise, to produce, at the time of making such entry, any invoice

to whom to deliver the same.

Goods, &c., not to be admitted to entry, unless the invoice conforms hereto.

Penalty for making, &c., an entry by false certificate or invoice, &c.

Proviso.

If triplicate is not received by collector before goods arrive, they may be entered by owners giving bond.

Collector to notify consul, &c.

Duty, when to be liquidated.

If impossible to produce invoice, the Secretary of Treasury

thereof, as hereinbefore required, it shall be lawful for the Secretary of the Treasury to authorize the entry of such goods, wares, or merchandise, upon such terms and in accordance with such general or special regulations as he may prescribe. And the Secretary of the Treasury is hereby invested with the like powers of remission in cases of forfeiture arising under this act, as in other cases of forfeiture under the revenue laws: *And provided, further,* That the provisions of this act shall not apply to countries where there is no consul, vice-consul, or commercial agent of the United States; nor shall anything herein contained be construed to require for goods imported under the reciprocity treaty with Great Britain, signed June fifth, eighteen hundred and fifty-four, any other consular certificate than is now required by law. And this act shall be construed only to modify and not repeal the act of March first, eighteen hundred and twenty-three, entitled "An act supplementary to and to amend an act entitled 'An act to regulate the collection of duties on imports and tonnage,' passed March second, one thousand seven hundred and ninety-nine, and for other purposes;" and the form of oaths therein set forth shall be modified accordingly: *And provided, further,* That the provisions of this act shall not apply to invoices of goods, wares, or merchandise imported into any port of the United States from any place beyond Cape Horn or the Cape of Good Hope until the first day of January, eighteen hundred and sixty-four.

may authorize the entry upon terms.

Remission in cases of forfeiture.

This act not to apply to certain countries.

Vol. x. p. 1089

1823, ch. 21.
Vol. iii. p. 729.

1799, ch. 22.
Vol. i. p. 627.

SEC. 2. *And be it further enacted,* That the solicitor of the treasury, under direction of the Secretary of the Treasury, shall take cognizance of all frauds or attempted frauds upon the revenue, and shall exercise a general supervision over the measures for their prevention and detection, and for the prosecution of persons charged with the commission thereof; and it shall be the duty of the collectors of the several collection districts of the United States to report to him all seizures of goods, wares, or merchandise made by them, as soon as practicable after the same are made, with written statements of the facts upon which such seizures are based. And for the purpose of enabling the solicitor of the treasury to perform the duties hereby enjoined upon him, the Secretary of the Treasury is hereby authorized to employ not more than three clerks, in addition to those now assigned to the office of the solicitor by law, for such time and at such rates of compensation as he may deem for the public interest, and prescribe the compensation to be allowed to such clerks, not exceeding the amount now allowed to clerks of like class; said compensation shall be paid in the same manner as other expenses of collecting the revenue.

Solicitor of treasury to look after frauds, and attempted frauds, on the revenue.

Collectors to report seizures to solicitor.

Solicitor to have three additional clerks.

Their pay.

SEC. 3. *And be it further enacted,* That if any person shall, by the exhibition of any false sample, or by means of any false representation or device, or by collusion with any officer of the revenue, or otherwise, knowingly effect, or aid in effecting, an entry of any goods, wares, or merchandise at less than the true weight or measure thereof, or upon a false classification thereof as to quality or value, or by the payment of less than the amount of duty legally due thereon, such person shall, upon conviction thereof, be fined in any sum not exceeding five thousand dollars, or be imprisoned not exceeding two years, or both, at the discretion of the court.

Penalty for making, &c., entry by false samples, or by collusion.

SEC. 4. *And be it further enacted,* That if any officer of the revenue shall, by collusion with any importer or other person, or by means of any false weight or measure, or of any false classification as to quality or value of any goods, wares, or merchandise, or by any other means whatever, knowingly admit, or aid in admitting, to entry, any such goods, wares, or merchandise, upon the payment of less than the amount of duty legally due thereon, or shall knowingly accept, from any person engaged in the importation of goods, wares, or merchandise into the United States, or interested as principal, clerk, or agent in any such importation, or in the

Penalty upon officers of the revenue for knowingly admitting to entry, by any means, goods, &c., for less than the legal duty

Penalty on revenue officer for accepting any fee or gratuity.

entry of any goods, wares, or merchandise, any fee, gratuity, or emolument whatsoever, such officer shall, on conviction thereof, be removed from office, and shall be fined in any sum not exceeding five thousand dollars, or be imprisoned not exceeding two years, at the discretion of the court.

Collectors may release goods seized upon payment of their value, if it does not exceed \$1000.

SEC. 5. *And be it further enacted*, That the collectors of the several districts of the United States, in all cases of seizure of any goods, wares, or merchandise, for violation of the revenue laws, the appraised value of which, in the district wherein such seizure shall be made, shall not exceed one thousand dollars, be, and they are hereby, authorized, subject to the approval of the Secretary of the Treasury, to release such goods on payment of the appraised value thereof.

Offering present, &c., to any officer of the revenue, how punished.

SEC. 6. *And be it further enacted*, That if any person who shall be engaged in the importation of goods, wares, or merchandise into the United States, or who shall be interested as principal, clerk, or agent, in the entry of any goods, wares, or merchandise, shall at any time make, or offer to make, to any officer of the revenue, any gratuity or present of any money or other thing of value, such person shall, on conviction thereof, be fined in any sum not exceeding five thousand dollars, or be imprisoned not exceeding two years, at the discretion of the court.

In what cases district judge may authorize collector to search for and seize invoices, papers, &c.

SEC. 7. *And be it further enacted*, That whenever it shall be made to appear, by affidavit, to the satisfaction of the district judge of any district within the United States, that any fraud on the revenue has been at any time actually committed, or attempted, by any person or persons interested or in any way engaged in the importation or entry of merchandise at any port within the United States, said judge shall forthwith issue his warrant, directed to the collector of the port at which the merchandise in respect to which said alleged frauds have been committed or attempted has been imported or entered, directing said officer, or his duly authorized agents or assistants, to enter any place or premises where any invoices, books, or papers relating to such merchandise or fraud are deposited, and to take and carry the same away to be inspected; and any invoices, books, or papers so received or taken shall be retained by the officer receiving the same, for the use of the United States, so long as the retention thereof may be necessary, subject to the control and direction of the Solicitor of the Treasury.

Invoices, &c., seized may be retained.

Wilful concealment or destruction of invoices, &c., how punished.

SEC. 8. *And be it further enacted*, That if any person shall wilfully conceal or destroy any invoice, book, or paper relating to any merchandise liable to duty which has been or shall hereafter be imported into the United States from any foreign port or country, after an inspection thereof shall have been demanded by the collector of any collection district within the United States, or shall at any time conceal or destroy any such invoice, book, or paper, for the purpose of suppressing any evidence of fraud therein contained, such person shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by fine not exceeding five thousand dollars, or by imprisonment not exceeding two years, or both, at the discretion of the court.

Solicitor may rent unproductive lands, or sell them at public auction.

SEC. 9. *And be it further enacted*, That, for the purpose of realizing as much as may properly be done from unproductive lands, and other property of the United States acquired under judicial proceedings or otherwise in the collection of debts, the solicitor of the treasury be, and he is hereby, authorized, with the approval of the Secretary of the Treasury, to rent, for a period not exceeding three years, or sell any such lands or other property at public sale, after advertising the time, place, and conditions of such sale, for three months preceding the same, in some newspaper published in the vicinity thereof, in such manner and upon such terms as may, in his judgment, be most advantageous to the public interests.

Claims in favor of the United

SEC. 10. *And be it further enacted*, That upon a report by a district

attorney, or any special attorney or agent having charge of any claim in favor of the United States, showing in detail the condition of such claim, and the terms upon which the same may be compromised, and recommending that the same be compromised upon the terms so offered, and upon the recommendation of the solicitor of the treasury, the Secretary of the Treasury be, and he is hereby, authorized to compromise such claim accordingly.

States may be compromised.

SEC. 11. *And be it further enacted*, That there shall be taxed and paid to district attorneys two per centum upon all moneys collected or realized in any suit or proceeding arising under the revenue laws conducted by them in which the United States is a party. The act in relation to costs, approved February twenty-sixth, one thousand eight hundred and fifty-three, shall not apply to such allowances, and the same shall be in lieu of all costs and fees in such suit or proceedings.

District attorneys to have two per cent. upon collections under revenue laws, in full for costs and fees.

1853, ch. 80. Vol. x. p. 161.

SEC. 12. *And be it further enacted*, That in all suits or proceedings against collectors or other officers of the revenue for any act done by them, or for the recovery of any money exacted by or paid to such officer and by him paid into the treasury of the United States, in the performance of his official duty, in which any district or other attorney shall be directed to appear on behalf of such officer by the Secretary or Solicitor of the Treasury; or by any other proper officer of the government, such attorney shall be allowed such compensation for his services therein as shall be certified by the court in which such suit or proceedings shall be had, to be reasonable and proper, and approved by the Secretary of the Treasury; and where a recovery shall be had in any such suit or proceedings, and the court shall certify that there was probable cause for the act done by the collector or other officer, or that he acted under the directions of the Secretary of the Treasury or other proper officer of the government, no execution shall issue against such collector or other officer, but the amount so recovered shall, upon final judgment, be provided for and paid out of the proper appropriation from the treasury.

Fees of district attorneys defending suits against collectors, &c., for official acts.

When execution not to issue against collectors, &c.

SEC. 13. *And be it further enacted*, That in all suits or proceedings against collectors, or other officers of the revenue, for any act done by them, or for the recovery of any money exacted by or paid to such officers, which shall have been paid into the treasury of the United States, it shall be the duty of the respective district attorneys within the district where such suit or proceedings shall be had, unless otherwise instructed by the Secretary of the Treasury, to appear on behalf of such officers. And it shall be the duty of the several district attorneys, on the first of October of each year, to make returns to the solicitor of the treasury of the number of proceedings and suits commenced, pending, and determined within his district during the fiscal year next preceding the date of such returns; which returns shall show the date when such proceedings or suits in each case commenced; and if for any reason the determination of such proceedings or suits shall have been delayed or continued beyond the usual or reasonable period, such reasons shall be set forth, together with a statement of the measures taken by the district attorneys to press such proceedings or suits to a close. And the returns hereby directed shall be embraced in a report by the solicitor to the Secretary of the Treasury, to be by him annually transmitted to Congress, with a statement of all moneys received by the solicitor, and by each district attorney under the provisions of this act.

District attorneys to appear in suits against collectors, unless otherwise instructed,

to make returns annually to solicitor.

Returns to show what,

to be transmitted to Congress.

SEC. 14. *And be it further enacted*, That the seventeenth section of the act entitled "An act increasing temporarily the duties on imports, and for other purposes," approved July fourteenth, eighteen hundred and sixty-two, and so much of the eighty-ninth section of the act entitled "An act to regulate the collection of duties on imports and tonnage," approved March second, seventeen hundred and ninety-nine, and so much of the third section of the act entitled "An act in addition to the act for the punishment of certain crimes against the United States," approved March

Repeat of certain limitations upon time of commencing certain suits.

1862, ch. 163, § 17.

Ante, p. 558.

1799, ch. 22,

§ 89.

Vol. i. p. 695.

1804, ch. 40, § 3.
Vol. ii. p. 290.

twenty-sixth, eighteen hundred and four, as impose any limitation upon the commencement of any action or proceeding for the recovery of any fine, penalty, or forfeiture incurred by reason of the violation of any law of the United States relating to the importation or entry of goods, wares, or merchandise, are hereby repealed.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. LXXVII. — *An Act to modify existing Laws imposing Duties on Imports, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all goods, wares, and merchandise now in public stores or bonded warehouses, on which duties are unpaid, having been in bond more than one year and less than three years, when the act entitled "An act increasing temporarily, the duties on imports, and for other purposes," approved July fourteenth, eighteen hundred and sixty-two, went into effect, may be entered for consumption and the bonds cancelled, at any time before the first day of June next, on payment of duties at the rates prescribed by the act aforesaid, and all acts, and parts of acts, inconsistent with the provisions of this act are hereby repealed.

Certain goods, &c., in bond may be entered, &c., prior to June 1, 1863, at rates of act of 1862, ch. 163.
Ante, pp. 559, 560.

Duty on cotton and raw silk imported from places this side the Cape of Good Hope.

1862, ch. 163,
§ 14.
Ante, p. 557.

Prohibition of export of guano suspended.

1856, ch. 164.
Vol. xi. p. 119.

Ante, p. 558.

Construction of act of 1862, ch. 163, § 15.

Ante, p. 558.

Duty on printing paper.

Seedlac, &c.

Polishing powders, &c.

Petroleum and coal illuminating oil.

Ante, p. 548.

Drawback on foreign saltpetre manufactured into gunpowder and exported.

Ante, p. 548.

SEC. 2. *And be it further enacted,* That section fourteen of an act entitled, "An act increasing temporarily the duties on imports, and for other purposes," approved July fourteenth, eighteen hundred and sixty-two, be, and the same hereby is, modified so as to allow cotton and raw silk as reeled from the cocoon, of the growth or produce of countries beyond the Cape of Good Hope, to be exempt from any additional duty when imported from places this side of the Cape of Good Hope, for two years from and after the passage of this act.

SEC. 3. *And be it further enacted,* That so much of an act entitled "An act to authorize protection to be given to citizens of the United States, who may discover deposits of guano," approved August eighteen, eighteen hundred and fifty-six, as prohibits the export thereof, is hereby suspended in relation to all persons who have complied with the provisions of section second of said act for two years from and after July fourteenth, eighteen hundred and sixty-three.

SEC. 4. *And be it further enacted,* That the proviso in section fifteen of an act entitled "An act increasing temporarily the duties on imports, and for other purposes," approved July fourteen, eighteen hundred and sixty-two, shall be construed to include any ship, vessel, or steamer to or from any port or place south of Mexico down to and including Aspinwall and Panama.

SEC. 5. *And be it further enacted,* That in lieu of the duties now imposed by law there shall be levied and collected upon printing paper unsized, used for books and newspapers exclusively, twenty per centum ad valorem; upon seedlac and sticklac the same duties now imposed upon gum shellac; upon polishing powders, of all descriptions, Frankfort black, and Berlin, Chinese, Fig and wash blue, twenty-five per centum ad valorem.

SEC. 6. *And be it further enacted,* That from and after the passage of this act, the duty on petroleum and coal illuminating oil, crude and not refined, when imported from foreign countries in a crude state, shall be twenty per centum ad valorem, and no more.

SEC. 7. *And be it further enacted,* That from and after the passage of this act, there shall be allowed a drawback on foreign saltpetre, manufactured into gunpowder in the United States and exported therefrom, equal in amount to the duty paid on the foreign saltpetre from which it shall be manufactured, to be ascertained under such regulations as shall be prescribed by the Secretary of the Treasury, and no more: *Provided*, That

ten per centum on the amount of all drawbacks so allowed shall be retained for the use of the United States by the collectors paying such drawbacks respectively. Ten per cent. to be retained.

APPROVED, March 3, 1863.

CHAP. LXXVIII. — *An Act to promote the Efficiency of the Corps of Engineers and of the Ordnance Department, and for other Purposes.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the corps of topographical engineers, as a distinct branch of the army, is hereby abolished, and from and after the passage of this act, is merged into the corps of engineers, which shall have the following organization, viz: one chief engineer, with the rank, pay, and emoluments of a brigadier-general; four colonels; ten lieutenant-colonels; twenty majors; thirty captains; thirty first lieutenants, and ten second lieutenants. Corps of topographical engineers merged in that of engineers. Organization.

SEC. 2. *And be it further enacted,* That the general officer provided by the first section of this act shall be selected from the corps of engineers as therein established; and that officers of all lower grades shall take rank according to their respective dates of commission in the existing corps of engineers or corps of topographical engineers. Rank of officers.

SEC. 3. *And be it further enacted,* That no officer of the corps of engineers below the rank of a field-officer shall, hereafter, be promoted to a higher grade before having passed a satisfactory examination before a board of three engineers senior to him in rank; and should the officer fail at said examination, he shall be suspended from promotion *from* [for] one year, when he shall be reexamined, and, upon a second failure, shall be dropped by the President from the army. Engineer officers not to be promoted except after examination.

SEC. 4. *And be it further enacted,* That there shall be added to the ordnance department one lieutenant-colonel, two majors, eight captains, eight first lieutenants; the additional officers herein authorized to be appointed by promotion, so far as the present officers of the ordnance corps will permit; and the residue to be appointed by transfers from other regiments or corps of the army: *Provided,* That no officer of the ordnance department below the rank of a field-officer shall be promoted or commissioned to a higher grade, nor shall any officer of the army be commissioned as an ordnance officer until he shall have passed a satisfactory examination before a board of not less than three ordnance officers, senior to him in rank; and should such officer fail on such examination he shall be suspended from promotion or appointment for one year, when he may be reexamined before a like board; and if, upon such second examination, an ordnance officer fail, he shall be dismissed from the service, and if an officer of the army he shall not be commissioned. Additions to ordnance department. How appointed. Officers to be examined.

SEC. 5. *And be it further enacted,* That section two of the act approved March three, eighteen hundred and forty-nine, entitled "An act to provide for the payment of horses and other property lost or destroyed in the military service of the United States," shall be construed to include the steamboats and other vessels, and "railroad engines and cars," in the property to be allowed and paid for when destroyed or lost under the circumstances provided for in said act. Steamboats and railroad engines lost or destroyed in military service to be paid for. 1849, ch. 129, § 2. Vol. ix. p. 415.

SEC. 6. *And be it further enacted,* That all payments of advance bounty made to enlisted men who have been discharged before serving out the term required by law for its payment in full shall be allowed in the settlement of the accounts of paymasters at the treasury; but hereafter, in all such cases, the amount so advanced shall be charged against the enlisted men, unless the discharge be upon surgeon's certificate for wounds received or sickness incurred since their last enlistment. Payments of advance bounty, &c., to be allowed paymasters. Advance, how charged.

SEC. 7. *And be it further enacted,* That upon any requisition hereafter being made by the President of the United States for militia, any Persons drafted, or who volunteer

to serve nine months, and enlisting for one year, to have bounty.

1861, ch. 9.
Ante, p. 268.

Supervision of cooking.

Cooks for each company to be detailed from the privates.

Each cook to have two under-cooks.

Pay and ration.

Pepper in army ration.

Increase of rank and number of officers by this act to continue only during rebellion.

person who shall have volunteered or been drafted for the service of the United States for the term of nine months, or a shorter period, may enlist into a regiment from the same state to serve for the term of one year, and any person so enlisting shall be entitled to and receive a bounty of fifty dollars, to be paid in time and manner provided by the act of July twenty-second, eighteen hundred and sixty-one, for the payment of the bounty provided for by that act.

SEC. 8. *And be it further enacted*, That the officers of the medical department shall unite with the line officers of the army under such rules and regulations as shall be prescribed by the Secretary of War, in supervising the cooking within the same as an important sanitary measure, and that said medical department shall promulgate to its officers such regulations and instructions as may tend to insure the proper preparation of the ration of the soldier.

SEC. 9. *And be it further enacted*, That cooks shall be detailed, in turn, from the privates of each company of troops in the service of the United States, at the rate of one cook for each company numbering less than thirty men, and two cooks for each company numbering over thirty men, who shall serve ten days each.

SEC. 10. *And be it further enacted*, That the President of the United States be, and he is hereby, authorized to cause to be enlisted, for each cook, two under-cooks of African descent, who shall receive for their full compensation ten dollars per month, and one ration per day — three dollars of said monthly pay may be in clothing.

SEC. 11. *And be it further enacted*, That the army ration shall hereafter include pepper, in the proportion of four ounces to every hundred rations.

SEC. 12. *And be it further enacted*, That the increase of rank of officers, and in the number of officers provided for in this act, shall continue only during the existence of the present rebellion; and thereafter the several officers promoted under this act shall have the respective rank they would have had if this act had not passed, and the number shall be reduced by the President to the number authorized by law prior to the passage of this act.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. LXXIX. — *An Act making Appropriations for sundry Civil Expenses of the Government for the Year ending June thirty, eighteen hundred and sixty-four, and for the Year ending the 30[th] of June, 1863, and for other Purposes.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending the thirtieth June, eighteen hundred and sixty-four, viz :

Civil expenses appropriation.

Coast survey.

Survey of the Coast. — For the survey of the Atlantic and Gulf coasts of the United States, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) one hundred and seventy-eight thousand dollars.

For continuing the survey of the western coast of the United States, (including compensation of civilians engaged in the work,) one hundred thousand dollars.

For continuing the survey of the Florida reefs and keys, (including compensation of civilians engaged in the work, and excluding pay and emoluments of officers of the army and navy, and petty officers and men of the navy employed on the work,) eleven thousand dollars.

For publishing the observations made in the progress of the survey of

the coast of the United States, (including compensation of civilians employed in the work,) four thousand dollars.

Coast survey.

For repairs of steamers and sailing schooners used in the coast survey, four thousand dollars.

For pay and rations of engineers for four steamers used in the hydrography of the coast survey, no longer supplied by the Navy Department, nine thousand dollars.

For supplying deficiency in the fund for the relief of sick and disabled seamen, one hundred thousand dollars.

Deficiency for seamen.

For the discharge of such miscellaneous claims, not otherwise provided for, as shall be admitted in due course of settlement at the treasury, ten thousand dollars.

Miscellaneous.

Light-House Establishment. — For the Atlantic, Gulf, and Lake coasts, viz: —

Light-house establishment.

For supplying the light-houses and beacon-lights with oil, wicks, glass chimneys, and other necessary expenses of the same, repairing and keeping in repair the lighting apparatus, one hundred and fifty-four thousand six hundred and ninety-eight dollars and eighty cents.

For repairs and incidental expenses, refitting and improving all the light-houses and buildings connected therewith, one hundred and two thousand two hundred dollars.

For salaries of five hundred and ninety-six keepers of light-houses and light-beacons, and their assistants, fifty-three thousand one hundred and ninety-three dollars and thirty-three cents.

For salaries of forty-three keepers of light-vessels, three thousand nine hundred dollars.

For seamen's wages, repairs, supplies, and incidental expenses of forty-five light-vessels, one hundred and seventy thousand nine hundred and sixty-seven dollars and seventy cents.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of beacons and buoys, and for chains and sinkers for the same, one hundred and twelve thousand three hundred and fifty dollars.

For expenses of visiting and inspecting lights and other aids to navigation, two thousand dollars.

For the purchase of a lot and erection of a suitable building thereon for the light-house establishment in New York City or vicinity, fifty thousand dollars: *Provided*, That the price of purchase of lot, and erection of building thereon, shall not exceed the sum hereby appropriated.

For the Coasts of California, Oregon, and Washington. — For supplying nineteen light-houses and beacon-lights with oil, glass chimneys, chamois skins, polishing powder, and other cleaning materials, transportation, expenses of keeping lamps and machinery in repair, publishing notices to mariners of changes of aids to navigation, seventeen thousand two hundred and seventy dollars.

California, Oregon, and Washington.

For repairs and incidental expenses of nineteen light-houses and buildings connected therewith, ten thousand dollars.

For salaries of forty-three keepers and assistant-keepers of light-houses, at an average not exceeding eight hundred dollars per annum, twenty-five thousand eight hundred dollars.

For expenses of raising, cleaning, painting, repairing, remooring, and supplying losses of floating buoys and beacons, and for chains and sinkers for the same, and for coloring and numbering all the buoys, ten thousand dollars.

For maintenance of the vessel provided for by the act of eighteenth August, eighteen hundred and fifty-six, for transportation of supplies and materials, and for repairs of light-houses, and buoy service, and for inspection purposes, twenty thousand dollars.

1856, ch. 160.
Vol. xi. p. 100.

For compensation of two inspectors of customs acting as superintend-

Life-saving stations.

ents for the life-saving stations on the coasts of Long Island and New Jersey, three thousand dollars.

For compensation of fifty-four keepers of stations, at two hundred dollars each, ten thousand eight hundred dollars.

Transient paupers. *Public Buildings and Grounds.*— For support, care, and medical treatment of forty transient paupers, medical and surgical patients in some proper medical institution in the city of Washington, to be selected by the Commissioner of Public Buildings, six thousand dollars.

Public grounds and buildings. For hire of carts on the public grounds, two thousand dollars.
For purchase and repair of tools used in the public grounds, two hundred dollars.

For purchase of trees and tree-boxes, to replace when necessary such as have been planted by the United States, to whitewash tree-boxes and fences, and to repair pavements in front of the public grounds, three thousand dollars.

Repairs of Capitol. For annual repairs of the Capitol, water-closets, public stables, water-pipes, pavements, and other walks within the Capitol square, broken glass, and locks, and for the protection of the building, and keeping the main approaches to it unencumbered, eight thousand dollars.

President's House. For annual repairs of the President's House and furniture, improvement of grounds, purchase of plants for garden, and contingent expenses incident thereto, six thousand dollars.

For fuel, in part, of the President's House, two thousand four hundred dollars.

Lighting Capitol, &c. For lighting the Capitol and President's House, the public grounds around them, and around the executive offices, and Pennsylvania avenue, Bridge and High streets in Georgetown, Four-and-a-half street, Seventh, and Twelfth streets across the mall, sixty-two thousand dollars.

New furnaces. To enable the Commissioner of Public Buildings to erect two new furnaces under the rotunda of the Capitol, two under the old Hall of the House, and two under the Supreme Court room and vestibule to the same, five thousand five hundred dollars.

Bridges. For repairs of the Potomac, navy yard, and upper bridges, and the roads appurtenant thereto, and to repair the house occupied by the bridge-keeper at the navy yard, and to erect a wing wall to protect the same, eleven thousand five hundred and eighty-five dollars.

Avenue. For repairs of Pennsylvania avenue, six thousand dollars.

Squares. For public reservation number two and Lafayette square, two thousand dollars.

For taking care of the grounds south of the President's House, *containing* [continuing] the improvement of the same, and replacing trees destroyed last winter and spring by United States cavalry, repairing fences, and other injuries, two thousand dollars.

Water pipes. For repairs of water-pipes, five hundred dollars.

Sewer traps. For cleaning out the sewer-traps on Pennsylvania avenue and repairing the same, three hundred dollars.

For casual repairs of all the furnaces under the Capitol, five hundred dollars.

For continuing the repairs of Delaware avenue north of the Capitol, one thousand dollars.

Paving. For removing back the fence, paving the foot-path on First street between the Capitol grounds and Botanic garden, and making a pavement on Third street on the side of said garden, one thousand two hundred dollars.

For making improvements provided for in the thirteenth section of the city charter, per act of May seventeen, eighteen hundred and forty-eight, five thousand dollars.

For improvement of B street south from Sixth to Seventh street west, Maine avenue from the canal to Sixth street west, and Four-and-a

half, east side, from Missouri to Maine avenue, all bordering on the public grounds, according to the surveyor's estimate, six thousand nine hundred and forty dollars.

For repairs and rebuilding fence around Smithsonian grounds, two thousand dollars.

For compensation to the Commissioner of Public Buildings, as disbursing agent of the Patent-Office building and the Capitol extension and dome, for the current fiscal year, five hundred dollars. Pay to Commissioner of Public Buildings.

Government Hospital for the Insane. — For the support, clothing, and medical treatment of the insane of the army and navy and of the revenue service, and of the District of Columbia, at the Government hospital in said District, including five hundred dollars for books, stationery, and incidental expenses, fifty thousand five hundred dollars. Hospital for the insane.

For finishing, furnishing, heating, and lighting of additional accommodations in the east wing, five thousand dollars.

For extension of workshops and machinery therefor, to afford additional facilities for the curative and economical employment of patients, two thousand dollars.

For continuation of the wall enclosing the grounds of the hospital, ten thousand dollars.

Exploring Expedition. — For preservation of the collections of the exploring and surveying expeditions of the Government, four thousand dollars. Exploring expedition.

Botanic Garden. — For grading, draining, procuring manure, tools, fuel, and repairs, purchasing trees and shrubs under the direction of Library Committee of Congress, three thousand three hundred dollars. Botanic garden.

For pay of horticulturist and assistants in the botanic garden and greenhouses, to be expended under the direction of the Library Committee of Congress, five thousand one hundred and twenty-one dollars and fifty cents.

Columbia Institution for the Deaf, and Dumb, and the Blind. — For salaries and incidental expenses of said institution, four thousand four hundred dollars. Deaf, dumb, and blind.

For supplying the institution buildings with gas-making apparatus and fixtures, one thousand four hundred and seventy dollars.

For supplying the institution buildings with steam-heating apparatus, two thousand two hundred and fifty dollars.

Patent-Office. — For expenses of receiving, arranging, and taking care of copyright books, charts, and other copyright matter, one thousand eight hundred dollars. Patent-office.

For preparing illustrations and descriptions for report, five thousand dollars.

For finishing the saloon in the north wing of the Patent-Office building, and for furnishing the same with suitabel cases and accommodations for the reception and convenient exhibition of models, fifty thousand dollars.

For repairing and painting the saloon in the old portion of the Patent-Office building, and for furnishing the same with suitable cases and accommodations for the *inception* [reception] and convenient exhibition of models, twenty-five thousand dollars.

Survey of the Public Lands. — For surveying the public lands, (exclusive of California, Oregon, Washington, New Mexico, Kansas, Nebraska, Utah, Dakota, Colorado, and Nevada,) including incidental expenses and island surveys in the interior, and all other special and difficult surveys demanding augmented rates, to be apportioned and applied to the several surveying districts, according to the exigencies of the public service, in addition to the unexpended balances of all former appropriations for the same objects, ten thousand dollars. Survey of public lands.

- California and Nevada. For surveying the public lands and private land claims in California and Territory of Nevada, twenty-five thousand dollars.
- Kansas and Nebraska. For surveying the public lands in Kansas and Nebraska, fifteen thousand dollars.
- Oregon. For surveying the public lands in Oregon, ten thousand dollars.
- Washington Territory. For surveying the public lands in Washington Territory, five thousand dollars.
- Colorado. For surveying the public lands in the Territory of Colorado, five thousand dollars.
- Nevada. For salaries and commissions of register and receiver for the Territory of Nevada for fiscal years ending thirtieth June, eighteen hundred and sixty-three, and thirtieth June, eighteen hundred and sixty-four, two thousand five hundred dollars; expenses for depositary during said periods, two hundred dollars.
- Colorado. For incidental expenses, furniture, iron safes, fifteen hundred dollars.
- Colorado. For salaries and commissions of register and receiver for the Territory of Colorado for the fiscal years ending thirtieth June, eighteen hundred and sixty-three, and thirtieth June, eighteen hundred and sixty-four, two thousand five hundred dollars; expenses for depositary for said periods, two hundred dollars.
- Colorado. For incidental expenses, furniture, iron safes, fifteen hundred dollars.
- Inspection office, navy yard, New York. For purchase and fitting up of coffee-roaster, cooler and mill, in the inspection office of provisions and clothing, navy yard, New York, one thousand one hundred and sixty-seven dollars and forty cents.
- Court-house at Indianapolis. For completion of the court-house at Indianapolis, five thousand dollars.
- Capitol extension. For continuing the work on the Capitol extension, one hundred and fifty thousand dollars.
- Capitol police. 1854, ch. 52. Vol. x. p. 278. For payment of arrearages to Capitol police due under act of April twenty-second, eighteen hundred and fifty-four, nine thousand five hundred dollars.
- Capitol. For continuing the work on the new dome of the Capitol, two hundred thousand dollars.
- Census in Dakota. To defray the expenses incurred in taking the census of the Territory of Dakota, one thousand four hundred and fifty dollars.
- Nevada. For defraying the expenses of taking the census of the Territory of Nevada, two thousand five hundred dollars.
- Colorado. For defraying the expenses of taking the census in the Territory of Colorado, three thousand two hundred and sixty-two dollars and sixty-eight cents.
- Territorial libraries. For the purchase of a Territorial library for the Territories of Colorado, Dakota, and Nevada, two thousand five hundred dollars each.
- Territory of Arizona. *Territory of Arizona.* — For salaries of Governor, three Judges, Secretary, and Superintendent of Indian Affairs, fourteen thousand dollars.
- Arizona. For contingent expenses of said Territory, one thousand dollars.
- Arizona. For interpreter and translator in the executive office, five hundred dollars.
- Arizona. For compensation and mileage of the members of the legislative assembly, office[r]s, clerks, and contingent expenses, eighteen thousand dollars.
- Arizona. For incidental expenses of the Indian service in the Territory of Arizona, and for presents of goods, clothing, and other useful articles to the Indians, to be expended under the direction of the Secretary of the Interior, ten thousand dollars.
- Arizona. For surveying the public lands in the Territory of Arizona, five thousand dollars.

<p>To pay Jacob F. Kautz for work on the survey of the United States and California boundary from September first, eighteen hundred and sixty, to April thirtieth, eighteen hundred and sixty-one, one thousand dollars.</p>	<p>Payment to Jacob F. Kautz.</p>
<p>To pay W. H. Shultz for services on United States and California boundary survey from October one, eighteen hundred and sixty, to March thirty-one, eighteen hundred and sixty-one, four hundred and fifty dollars.</p>	<p>W. H. Shultz.</p>
<p>To enable the Secretary of the Interior to pay detective police, employed by a former head of the Department, for expenses incurred and services rendered in the cities of Washington and Philadelphia, in the detection and arrest of counterfeiters of United States coin, there shall be and hereby is transferred to the Department of the Interior, from the appropriation by the act of Congress "making appropriations for the legislative, executive, and judicial expenses of Government for the year ending June thirty, eighteen hundred and sixty-one," approved June twenty-three, eighteen hundred and sixty, to be expended under the direction of the Secretary of the Treasury, so much thereof, not exceeding eleven hundred and eighty-four dollars, as may be necessary for that purpose: <i>Provided</i>, That if the unexpended portion of the appropriation afore[said] be not sufficient to allow of the transfer aforesaid, then, and in that case, the amount aforesaid shall be paid out of any money in the treasury not otherwise appropriated.</p>	<p>Detection and arrest of counterfeiters of coin. 1860, ch. 205. <i>Ante</i>, p. 102. Proviso.</p>
<p>For the continuation of the treasury building, two hundred and fifty thousand dollars.</p>	<p>Treasury building.</p>
<p>For repairing the Government warehouses, wharves, and fences at Staten Island, fifteen thousand dollars.</p>	<p>Warehouses, &c., at Staten Island.</p>
<p>For annual repairs of custom-houses and marine hospitals, twenty thousand dollars.</p>	<p>Repairs of custom-houses and hospitals.</p>
<p>To complete the alterations in the office of the assistant treasurer at New York, authorized by the act of July eleventh, eighteen hundred and sixty-two, fifty thousand dollars.</p>	<p>1862, ch. 143. <i>Ante</i>, p. 534.</p>
<p>For detection and bringing to trial to [of] persons engaged in counterfeiting the coin of the United States, Treasury notes, and other United States securities, twenty-five thousand dollars.</p>	<p>Detection, &c., of counterfeiters</p>
<p>To reimburse J. L. Vattier, late postmaster at Cincinnati, for balance expended and paid upon Government post-office at Cincinnati, seventeen hundred dollars.</p>	<p>J. L. Vattier.</p>
<p>To complete the compilation of the last census, fifty thousand dollars.</p>	<p>Eighth census.</p>
<p>For pay of the United States commissioner and surveyor, and for transportation and other expenses attending the examination of coasts, and for the making of the final chart showing boundary lines established by the commissioner jointly under the reciprocity treaty with Great Britain, seven thousand dollars.</p>	<p>Commissioner, &c., under treaty with Great Britain.</p>
<p>For repair of the pier at Kenosha, Wisconsin, and rebuilding the beacon-light thereon, seven thousand six hundred and forty dollars.</p>	<p>Pier at Kenosha, Wisconsin.</p>
<p>For the erection of two lights near the mouth of Maumee River and Maumee Bay, ten thousand dollars: <i>Provided</i>, That the Light-house Board shall determine that there exists a necessity for such lights.</p>	<p>Lights near Maumee River and Bay.</p>
<p>For the establishment of a series of range lights as aids to navigation at Port Royal harbor, South Carolina, seven thousand dollars.</p>	<p>Lights at Port Royal.</p>
<p>For establishing a fog-bell at or near Sandy Point light-house, Chesapeake bay, one thousand dollars.</p>	<p>Fog-bell.</p>
<p>For building a beacon-light at Ediz Hook, Port Angelos harbor, Washington Territory, five thousand dollars.</p>	<p>Beacon-light at Ediz Hook.</p>
<p>For expenses incurred under directions of the Governor, Chief Justice, and Marshal of the Territory, in fitting up a Territorial prison at Denver, in the Territory of Colorado, to be expended under the direction of the Secretary of the Interior, five thousand dollars.</p>	<p>Territorial prison in Colorado.</p>

- Judge, district attorney, and marshal, for western district of Michigan. For pay of the United States District Judge for the western district of Michigan, two thousand five hundred dollars.
- Denver Branch Mint. For pay of Marshal same district, two hundred dollars.
- 1862, ch. 59. *Ante*, p. 382. For pay of District Attorney same district, two hundred dollars.
- Mileage. SEC. 2. *And be it further enacted*, That the current expenses for the year ending thirtieth June, eighteen hundred and sixty-four, for the Denver Branch Mint be authorized to be paid out of the unexpended balance of the appropriation of seventy-five thousand dollars made for the establishment and current expenses of said mint by act of Congress approved April twenty-first, eighteen hundred and sixty-two.
- Register of volunteers. SEC. 3. *And be it further enacted*, That mileage, as now allowed by law to Senators, Representatives, and Delegates shall be paid for the present session by the proper officer of the treasury, out of any money in the treasury not otherwise appropriated, as soon as certified by the presiding officer of each House.
- Maryland avenue. SEC. 4. *And be it further enacted*, That the Secretary of War cause a register to be prepared, showing the present organization of the volunteers of the United States army, with such facts in reference thereto as may not be incompatible with the public service; and the sum of fifteen hundred dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, for clerk hire and compilation of said register.
- Custom-house, Boston. For lighting Maryland avenue west, Sixth street south, with gas, made necessary by the occupancy of that street by Government railroad, thereby endangering the lives of citizens in the night, fifteen thousand dollars.
- Books of tactics, &c. For alteration of steps and improvement to the entrance of the custom-house at Boston, Massachusetts, twelve thousand nine hundred and four dollars.
- Minute-men and volunteers to repel rebel raids. For repair of culvert on New Jersey avenue, near the Capitol, five hundred dollars.
- 1861, ch. 21. *Ante*, p. 276. For the purchase of books of tactics and instructions for the armies of the United States, fifty thousand dollars.
- Statutes at Large. To defray expenses incurred in the raising, equipping, transportation, and subsistence of minute-men and volunteers in Pennsylvania, Maryland, Ohio, Indiana, and Kentucky, to repel rebel raids, six hundred thousand dollars, to be settled upon proper vouchers, to be filed and passed upon by the proper accounting officers of the treasury: *Provided*, That in determining the claims to be allowed under this act the same principles, rules, and regulations shall be observed by the accounting officers in auditing said expenses as have been applied to the claims allowed to States, under the act approved July twenty-seventh, eighteen hundred and sixty-one, entitled "An act to indemnify the States for expenses incurred by them in defence of the United States."
- Volume twelfth. For additional compensation to the publishers of the Statutes at Large, four thousand one hundred and twenty-five dollars.
- Receiver at Santa Fé. To enable the Secretary of the Interior to purchase of Messrs. Little, Brown and Company, two thousand copies of the twelfth volume of the United States Statutes at Large, for distribution agreeably to the act of Congress directing the distribution of the other volumes, seven thousand dollars.
- Capitol. For compensation of the receiver at Santa Fé, New Mexico, acting as depositary, two thousand dollars.
- Congressional Library. For four laborers employed by the Commissioner of Public Buildings in the Capitol, (heretofore authorized by special appropriation,) two thousand four hundred dollars.
- Agricultural Bureau. For new roof to Congressional Library, three thousand five hundred dollars.
- To supply deficiency in the appropriations for Agricultural Bureau, for

the fiscal year ending June thirtieth, eighteen hundred and sixty-three, twenty thousand dollars.

To supply deficiency in the appropriation for rent, fitting up, and furnishing of the rooms temporarily provided for the use of the Quartermaster-General's Department, including stationery and miscellaneous items, for the current fiscal year, six thousand six hundred and eighty-four dollars.

Quartermaster-General's Department.

For the Mississippi squadron, building, repairs, equipment, machinery, three million eight hundred thousand dollars; increase on cost of materials, five hundred and eighty thousand dollars; completion of armored-clad vessels, four million five hundred thousand dollars.

Mississippi squadron.

For contingent fund of the Bureau of Yards and Docks for eighteen hundred and sixty-two and three, three hundred thousand dollars.

Bureau Yards and Docks.

For enlarging hospital at marine barracks, Washington, and constructing sewer to Eastern Branch, nine thousand and fifty dollars.

Hospital at marine barracks.

For deficiencies of appropriations in the Navy Department for the fiscal year ending thirtieth June, eighteen hundred and sixty-three, as follows, viz:

Deficiency appropriations for Navy Department.

For increase and repairs of the navy: completion of side-wheel steamers, hulls, equipment, and machinery, two million eight hundred thousand dollars.

Side-wheel steamers.

Completion of screw steamers, hulls, equipment, and machinery, one million five hundred thousand dollars.

Screw steamers.

Purchase of large steamers, two million six hundred thousand dollars.

Purchase of steamers.

Purchase of small steamers and tug-boats, seven hundred and fifty thousand dollars.

Repairs of steam machinery, one million nine hundred and fifty thousand dollars.

Repairs of steam machinery.

For instituting and conducting experiments for testing various methods of working steam expansively, twenty thousand dollars.

Testing methods of working steam.

SEC. 5. *And be it further enacted*, That the surgeon and the citizen at large, who are, with the provost-marshal, to form the enrolling board of each Congressional district, shall receive the compensation of an assistant-surgeon of the army, excluding commutation for fuel and quarters for the time actually employed; and that the same may be paid by the Secretary of War out of appropriations already made for the services of that Department.

Pay of surgeon and citizen on enrolling board.

SEC. 6. *And be it further enacted*, That the President cause to be struck from the dies recently prepared at the United States mint for that purpose, "Medals of Honor" additional to those authorized by the act [Resolution] of July twelfth, eighteen hundred and sixty-two, and present the same to such officers, non-commissioned officers, and privates as have most distinguished or who may hereafter most distinguish themselves in action; and the sum of twenty thousand dollars is hereby appropriated out of any money in the treasury not otherwise appropriated, to defray the expenses of the same.

Medals of Honor.

For surveying the public lands in Colorado Territory, in addition to the sum hereinbefore appropriated, five thousand dollars.

Public lands in Colorado.

For surveying the public lands in Kansas and Nebraska, in addition to the sum hereinbefore appropriated, ten thousand dollars.

Kansas and Nebraska.

For surveying the public lands in Dakota Territory, ten thousand dollars.

Dakota.

For surveying the public lands in Washington Territory, in addition to the sum hereinbefore appropriated, five thousand dollars.

Washington Territory.

SEC. 7. *And be it further enacted*, That to supply a clerical omission in the act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June thirtieth, eighteen hundred and sixty-four, the following words be, and hereby are, added to the end of the paragraph for the support of the

Metropolitan Police.

1863, ch. 59.
Ante, p. 694.

Additional
 clerks in office of
 2d comptroller.

Metropolitan Police of the District of Columbia: "One hundred and ten thousand dollars."

SEC. 8. *And be it further enacted*, That in addition to the clerical force now authorized by law in the office of the second comptroller, the Secretary of the Treasury is hereby authorized to appoint as follows: Four clerks of class four; four of class three, and ten of class two, and one assistant messenger at a salary of seven hundred dollars per annum; said additional force shall be employed and continue only during the rebellion, and for one year after its close; and the amount necessary to pay their salaries from the time of their appointment, for the fiscal year ending June thirty, eighteen hundred and sixty-three, and for the fiscal year ending June thirtieth, eighteen hundred and sixty-four, is hereby appropriated.

Appropriation
 for temporary
 clerks to include
 stationery, &c.

SEC. 9. *And be it further enacted*, That the appropriation for temporary clerks in the Treasury Department, for the year ending thirtieth June, eighteen hundred and sixty-four, shall apply to and include stationery and furniture for the use of said clerks.

Court of Claims.
 Judges.

Court of Claims.—For salaries of two additional [judges,] from the eighth of March, eighteen hundred and sixty-three, to thirtieth June, eighteen hundred and sixty-four, at an annual salary each of four thousand dollars, ten thousand five hundred and twenty dollars.

Bailiff.

For salary of bailiff, from eighth March, eighteen hundred and sixty-three, to thirtieth June, eighteen hundred and sixty-four, at an annual salary of one thousand dollars, one thousand two hundred and ninety-five dollars.

Minister resident
 in Greece.

For a minister resident in Greece, three thousand seven hundred and fifty dollars.

Butler and
 Carpenter for engraving
 revenue stamps.

SEC. 9. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized to allow to Butler and Carpenter, contractors for engraving internal revenue stamps, thirty per cent. of the cost of engraving the special dies for that purpose, and not to exceed in amount the sum of twenty thousand dollars.

Appropriation
 for expenses of act
 relating to habeas
 corpus, &c.

SEC. 10. *And be it further enacted*, That the sum of one hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, towards defraying the expenses consequent upon carrying into effect the act of Congress of [this date,] entitled "An act to regulate [relating to] habeas corpus, and regulating judicial proceedings in certain cases."

Public money
 in Philadelphia
 may be deposited
 in custom-house
 building.

1846, ch. 90, § 2.
 Vol. ix. p. 69.

SEC. 11. *And be it further enacted*, That so much of the second section of the act of August sixth, eighteen hundred and forty-six, entitled "An act to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue," as designates the mint of the United States in *in* the city of Philadelphia to be the place of deposit of the public money at that point, is hereby amended so as to authorize the deposit of the same in the custom-house building of the said city, whenever, in the opinion of the Secretary of the Treasury, the public convenience will be subserved thereby; and the sum of ten thousand dollars is hereby appropriated, payable out of any moneys in the treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury, in the construction of vaults and the fitting up of offices in the said custom-house building for the proper receipt, custody, and disbursement of such public money as may be deposited therein.

Treasurer of
 mint to designate
 chief clerks.

SEC. 12. *And be it further enacted*, That the treasurer of the mint of the United States, by virtue of that office assistant treasurer of the United States at Philadelphia, is authorized to designate from among the clerks in his said offices respectively, one to act as chief clerk to the treasurer of the mint, and one other to act as chief clerk to the Assistant Treasurer of the United States.

Chief clerks
 may act as treas

SEC. 13. *And be it further enacted*, That, in case of the sickness or

unavoidable absence of the treasurer of the mint, he may, in his discretion, authorize the respective chief clerks to act in his place, and to discharge all the duties required by law of the treasurer of the mint or assistant-treasurer of the United States at Philadelphia.

urer or assistant treasurer.

SEC. 14. *And be it further enacted*, That the chief and other clerks in the treasury department of the mint shall give such assistance in the assistant-treasury of the United States at Philadelphia, in the receipt, custody, and disbursement of the public money, as may be required of them by the treasurer, with the same responsibility for the faithful performance of such duty as is imposed upon them by the laws in force for the government of the mint and the officers and clerks thereof.

Duties of chief clerk and other clerks.

SEC. 15. *And be it further enacted*, That the secretary of the senate be directed to pay, out of the contingent fund, for such extra messengers, pages, laborers, and services for the Senate during the present session, as the committee to audit and control the contingent expenses of the Senate may approve and direct.

Contingent expenses of Senate.

SEC. 16. *And be it further enacted*, That an assistant collector of customs shall be appointed at the port of New York, in the mode prescribed by law for the appointment of deputy collectors, at an annual compensation of five thousand dollars, who shall perform such duties, and exercise such powers now devolved on the collector as may be assigned to him by that officer; and all the official acts of said assistant, in pursuance of such assignment, shall be as valid in law as if performed by the collector himself: *Provided*, That the collector shall be responsible for the official acts as aforesaid of said assistant, and that no additional appropriation shall be made for the payment of his compensation.

Assistant collector of customs at New York.

Pay and duties.

Collector to be responsible for acts of assistant.

SEC. 17. *And be it further enacted*, That the signal-corps of the army shall, during the present rebellion, be organized as follows: There shall be one chief signal-officer, a colonel, who shall be signal-officer of the army; one lieutenant-colonel; two majors, who shall be inspectors; and for each army corps or military department there shall be one captain and as many lieutenants, not exceeding eight, as the President may deem necessary, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive the pay and emoluments of cavalry officers of similar grades; and for each officer of the signal-corps there may be enlisted or detailed one sergeant and six privates, who shall receive the pay of similar grades of engineer soldiers: *Provided*, that no officer or enlisted man shall be allowed to serve in the signal-corps until he shall have been examined and approved by a military board, to be convened for that purpose by the Secretary of War.

Signal-corps of the army, organization.

Proviso.

SEC. 18. *And be it further enacted*, That the officers and enlisted men herein provided for shall be subject to the rules and articles of war. They may be mounted upon horses, the property of the United States, and shall serve in any military department, or with any forces to which they may be ordered. And officers of the army who may be appointed in this corps may, after the rebellion, be restored to their respective regiments or corps, and receive the same rank and promotion as if they had continued to serve therein.

Officers and men to be subject to rules of war, &c.

SEC. 19. *And be it further enacted*, That there shall be appointed in the office of the signal-officer two clerks of class two. And in selecting officers and men for the organization of the signal-corps, as herein provided, preference shall be given to such as have served faithfully, or as are now serving in the acting signal-corps of the army.

Clerks to signal-officer.

SEC. 20. *And be it further enacted*, That, in order to allow time for their thorough examination, the President may appoint the officers authorized by this act during the recess of Congress; which appointments shall be submitted to the Senate at their next session for their advice and consent.

Officers may be appointed in recess of Congress.

SEC. 21. *And be it further enacted*, That the sum of thirteen thousand

Bridges and

market-house in
Georgetown.

dollars be, and the same is hereby appropriated, to be paid out of any money in the treasury not otherwise appropriated, for reconstructing the bridges and market-house in Georgetown, built across the Chesapeake and Ohio Canal, and for raising the same so as to open a convenient outlet to the trade of the canal to the Potomac River, in place of that which has been interrupted by the occupation of the aqueduct connecting the Chesapeake and Ohio, and the Alexandria Canals, as a bridge for the transportation of supplies for the army of the United States across said river; said sum to be expended under the direction of the President of the Chesapeake and Ohio Canal Company.

Minnesota to
be repaid ex-
penses of sup-
pressing Indian
hostilities.

SEC. 22. *And be it further enacted*, That the Secretary of the Treasury be, and he is hereby directed, out of any money in the treasury not otherwise appropriated, to pay to the Governor of the State of Minnesota, or his duly authorized agent, the costs, charges, and expenses properly incurred by said State in suppressing Indian hostilities within said State and upon its borders, in the year eighteen hundred and sixty-two, not exceeding two hundred and fifty thousand dollars, to be settled upon proper vouchers to be filed and passed upon by the proper accounting officers of the treasury: *Provided*, That, in determining the claims to be allowed under this act, the same principles, rules, and regulations shall be observed by the accounting officers in auditing said expenses as have been applied to the claims allowed to states under the act approved July twenty-seventh, eighteen hundred and sixty-one, entitled "An act to indemnify the States for expenses incurred by them in defence of the United States."

Proviso.

1861, ch. 21.
Ante p. 276.

Passports, to
whom granted.
1856, ch. 127.
Vol. xi. p. 52.

SEC. 23. *And be it further enacted*, That so much of the act approved the eighteenth of August, eighteen hundred and fifty-six, entitled "An act to regulate the diplomatic and consular systems of the United States," as prohibits the granting of passports to any other than citizens of the United States, shall be, and is hereby repealed, so far as that prohibition may embrace any class of persons liable to military duty by the laws of the United States.

Consulate at
Trinidad de Cuba
may be discon-
tinued.

Consul at Cien-
fuegos.

Judge Advocate
may compel
attendance of
witnesses.

SEC. 24. *And be it further enacted*, That the President of the United States be, and he is hereby authorized, whenever in his judgment the public interest may so require, to discontinue the consulate of the United States at Trinidad de Cuba, and to appoint at Cienfuegos, in that island, a consul with the same salary and emoluments as those now allowed by law to the consul at Trinidad de Cuba.

SEC. 25. *And be it further enacted*, That every judge-advocate of a court-martial or court of inquiry hereafter to be constituted, shall have power to issue the like process to compel witnesses to appear and testify which courts of criminal jurisdiction within the state, territory, or district where such military courts shall be ordered to sit may lawfully issue.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. LXXX. — *An Act for increasing the Revenue by Reservation and Sale of Town Sites on Public Lands.*

Town sites to
be reserved.

Reservations
to be surveyed
into lots.

Value to be
appraised.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the President of the United States to reserve from the public lands, whether surveyed or unsurveyed, town sites on the shores of harbors, at the junction of rivers, important portages, or any natural or prospective centres of population.

SEC. 2. *And be it further enacted*, That when, in the opinion of the President, the public interests require it, it shall be the duty of the Secretary of the Interior to cause any of said reservations, or part thereof, to be surveyed into urban or suburban lots of suitable size, and to fix by appraisement of disinterested persons their cash value, and to offer the same for sale at public outcry to the highest bidder, and thence afterward

to be held subject to sale at private entry according to such regulations as the Secretary of the Interior may prescribe: *Provided*, That no lot shall be disposed of at public sale or private entry for less than the appraised value thereof: *And provided, further*, That said sales shall be conducted by the register and receiver of the land-office in the district in which said reservations may be situated, in accordance with the laws and rules and instructions of the department regulating the sales of public lands.

Lots to be sold at public sale or private entry. Proviso.

APPROVED, March 3, 1863.

CHAP. LXXXI.—*An Act relating to Habeas Corpus, and regulating Judicial Proceedings in Certain Cases.*

March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, during the present rebellion, the President of the United States, whenever, in his judgment, the public safety may require it, is authorized to suspend the privilege of the writ of habeas corpus in any case throughout the United States, or any part thereof. And whenever and wherever the said privilege shall be suspended, as aforesaid, no military or other officer shall be compelled, in answer to any writ of habeas corpus, to return the body of any person or persons detained by him by authority of the President; but upon the certificate, under oath, of the officer having charge of any one so detained that such person is detained by him as a prisoner under authority of the President, further proceedings under the writ of habeas corpus shall be suspended by the judge or court having issued the said writ, so long as said suspension by the President shall remain in force, and said rebellion continue.

The President may suspend the writ of habeas corpus during the rebellion.

Effect of the suspension.

SEC. 2. *And be it further enacted*, That the Secretary of State and the Secretary of War be, and they are hereby, directed, as soon as may be practicable, to furnish to the judges of the circuit and district courts of the United States and of the District of Columbia a list of the names of all persons, citizens of states in which the administration of the laws has continued unimpaired in the said Federal courts, who are now, or may hereafter be, held as prisoners of the United States, by order or authority of the President of the United States or either of said Secretaries, in any fort, arsenal, or other place, as state or political prisoners, or otherwise than as prisoners of war; the said list to contain the names of all those who reside in the respective jurisdictions of said judges, or who may be deemed by the said Secretaries, or either of them, to have violated any law of the United States in any of said jurisdictions, and also the date of each arrest; the Secretary of State to furnish a list of such persons as are imprisoned by the order or authority of the President, acting through the State Department, and the Secretary of War a list of such as are imprisoned by the order or authority of the President, acting through the Department of War. And in all cases where a grand jury, having attended any of said courts having jurisdiction in the premises, after the passage of this act, and after the furnishing of said list, as aforesaid, has terminated its session without finding an indictment or presentment, or other proceeding against any such person, it shall be the duty of the judge of said court forthwith to make an order that any such prisoner desiring a discharge from said imprisonment be brought before him to be discharged; and every officer of the United States having custody of such prisoner is hereby directed immediately to obey and execute said judge's order; and in case he shall delay or refuse so to do, he shall be subject to indictment for a misdemeanor, and be punished by a fine of not less than five hundred dollars and imprisonment in the common jail for a period not less than six months, in the discretion of the court: *Provided, however*, That no person shall be discharged by virtue of the provisions of this act until after he or she shall have taken an oath of allegiance

List of state or political prisoners to be furnished to the judges of the United States courts.

When such prisoners are to be discharged.

Penalty for refusing to obey order of the court.

Oath of allegiance to be taken before discharge.

to the Government of the United States, and to support the Constitution thereof; and that he or she will not hereafter in any way encourage or give aid and comfort to the present rebellion, or the supporters thereof:

Sureties of the peace may be required by the judge.

And provided, also, That the judge or court before whom such person may be brought, before discharging him or her from imprisonment, shall have power, on examination of the case, and, if the public safety shall require it, shall be required to cause him or her to enter into recognizance, with or without surety, in a sum to be fixed by said judge or court, to keep the peace and be of good behavior towards the United States and its citizens, and from time to time, and at such times as such judge or court may direct, appear before said judge or court to be further dealt with, according to law, as the circumstances may require. And it shall be the duty of the district attorney of the United States to attend such examination before the judge.

Duty of district attorney.

Prisoners under indictment, &c., to be discharged on bail.

SEC. 3. *And be it further enacted,* That in case any of such prisoners shall be under indictment or presentment for any offence against the laws of the United States, and by existing laws bail or a recognizance may be taken for the appearance for trial of such person, it shall be the duty of said judge at once to discharge such person upon bail or recognizance for trial as aforesaid. And in case the said Secretaries of State and War shall for any reason refuse or omit to furnish the said list of persons held as prisoners as aforesaid at the time of the passage of this act within twenty days thereafter, and of such persons as hereafter may be arrested within twenty days from the time of the arrest, any citizen may, after a grand jury shall have terminated its session without finding an indictment or presentment, as provided in the second section of this act, by a petition alleging the facts aforesaid touching any of the persons so as aforesaid imprisoned, supported by the oath of such petitioner or any other credible person, obtain and be entitled to have the said judge's order to discharge such prisoner on the same terms and conditions prescribed in the second section of this act: *Provided, however,* That the said judge shall be satisfied such allegations are true.

If list of prisoners is not furnished, &c., what remedy.

Any order of the President to be a defence to any action for false arrest, &c.

SEC. 4. *And be it further enacted,* That any order of the President, or under his authority, made at any time during the existence of the present rebellion, shall be a defence in all courts to any action or prosecution, civil or criminal, pending, or to be commenced, for any search, seizure, arrest, or imprisonment, made, done, or committed, or acts omitted to be done, under and by virtue of such order, or under color of any law of Congress, and such defence may be made by special plea, or under the general issue.

Actions against officers and others for torts in arrests, may be removed to circuit court.

SEC. 5. *And be it further enacted,* That if any suit or prosecution, civil or criminal, has been or shall be commenced in any state court, against any officer, civil or military, or against any other person, for any arrest or imprisonment made, or other trespasses or wrongs done or committed, or any act omitted to be done, at any time during the present rebellion, by virtue or under color of any authority derived from or exercised by or under the President of the United States, or any act of Congress, and the defendant shall, at the time of entering his appearance in such court, or if such appearance shall have been entered before the passage of this act, then at the next session of the court in which such suit or prosecution is pending, file a petition, stating the facts and verified by affidavit, for the removal of the cause for trial at the next circuit court of the United States, to be holden in the district where the suit is pending, and offer good and sufficient surety for his filing in such court, on the first day of its session, copies of such process and other proceedings against him, and also for his appearing in such court and entering special bail in the cause, if special bail was originally required therein. It shall then be the duty of the state court to accept the surety and proceed no further in the cause or prosecution, and the bail that shall have been originally taken

Proceedings for removal.

State court to go no further.

shall be discharged. And such copies being filed as aforesaid in such court of the United States, the cause shall proceed therein in the same manner as if it had been brought in said court by original process, whatever may be the amount in dispute or the damages claimed, or whatever the citizenship of the parties, any former law to the contrary notwithstanding. And any attachment of the goods or estate of the defendant by the original process shall hold the goods or estate so attached to answer the final judgment in the same manner as by the laws of such state they would have been holden to answer final judgment had it been rendered in the court in which the suit or prosecution was commenced. And it shall be lawful in any such action or prosecution which may be now pending, or hereafter commenced, before any state court whatever, for any cause aforesaid, after final judgment, for either party to remove and transfer, by appeal, such case during the session or term of said court at which the same shall have taken place, from such court to the next circuit court of the United States to be held in the district in which such appeal shall be taken, in manner aforesaid. And it shall be the duty of the person taking such appeal to produce and file in the said circuit court attested copies of the process, proceedings, and judgments in such cause; and it shall also be competent for either party, within six months after the rendition of a judgment in any such cause, by writ of error or other process, to remove the same to the circuit court of the United States of that district in which such judgment shall have been rendered; and the said circuit court shall thereupon proceed to try and determine the facts and the law in such action, in the same manner as if the same had been there originally commenced, the judgment in such case notwithstanding. And any bail which may have been taken, or property attached, shall be holden on the final judgment of the said circuit court in such action, in the same manner as if no such removal and transfer had been made, as aforesaid. And the state court, from which any such action, civil or criminal, may be removed and transferred as aforesaid, upon the parties giving good and sufficient security for the prosecution thereof, shall allow the same to be removed and transferred, and proceed no further in the case: *Provided, however,* That if the party aforesaid shall fail duly to enter the removal and transfer, as aforesaid, in the circuit court of the United States, agreeably to this act, the state court, by which judgment shall have been rendered, and from which the transfer and removal shall have been made, as aforesaid, shall be authorized, on motion for that purpose, to issue execution, and to carry into effect any such judgment, the same as if no such removal and transfer had been made. *And provided also,* That no such appeal or writ of error shall be allowed in any criminal action or prosecution where final judgment shall have been rendered in favor of the defendant or respondent by the state court. And if in any suit hereafter commenced the plaintiff is nonsuited or judgment pass against him, the defendant shall recover double costs.

SEC. 6. *And be it further enacted,* That any suit or prosecution described in this act, in which final judgment may be rendered in the circuit court, may be carried by writ of error to the supreme court, whatever may be the amount of said judgment.

SEC. 7. *And be it further enacted,* That no suit or prosecution, civil or criminal, shall be maintained for any arrest or imprisonment made, or other trespasses or wrongs done or committed, or act omitted to be done, at any time during the present rebellion, by virtue or under color of any authority derived from or exercised by or under the President of the United States, or by or under any act of Congress, unless the same shall have been commenced within two years next after such arrest, imprisonment, trespass, or wrong may have been done or committed or act may have been omitted to be done: *Provided,* That in no case shall the limitation herein provided commence to run until the passage of this act, so

Original attachment to hold. After final judgment in state court, action may be removed to circuit court by appeal.

Proceedings.

Circuit court to try the case, as though originally commenced therein.

Bail and attachments.

State court to proceed no further.

If removal is not perfected, state court may issue execution.

Appeal not allowable in a criminal case, when, &c.

Double costs.

Suit may be carried to the supreme court.

Suits and prosecutions to be commenced within two years.

Limitation not to commence until passage of this act.

that no party shall, by virtue of this act, be debarred of his remedy by suit or prosecution until two years from and after the passage of this act.
APPROVED, March 3, 1863.

March 3, 1863. CHAP. LXXXII. — *An Act to authorize the Breveting of Volunteer and other Officers in the United States Service.*

Brevet rank of volunteer and other officers. Pay, &c., not increased.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is, authorized, by and with the advice and consent of the Senate, to confer brevet rank upon such commissioned officers of the volunteer and other forces in the United States service as have been, or may hereafter be, distinguished by gallant actions or meritorious conduct; which rank shall not entitle them to any increase of pay or emoluments.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. LXXXIII. — *An Act for the Relief of certain Persons who have performed the Duties of Assistant Surgeons in Regiments of Cavalry.*

Pay of those acting as assistant surgeons of cavalry. Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That physicians and surgeons who have since the second day of July last been duly appointed and commissioned as second assistant surgeons in volunteer regiments of cavalry, and as such have been duly mustered into the military service of the United States, and actually performed the duties appertaining to that office, shall be paid therefor in like manner and upon like proof as other assistant surgeons of cavalry: *Provided,* That not more than two assistant surgeons to each regiment shall be allowed and paid for services performed at one and the same time.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. LXXXIV. — *An Act to amend an Act entitled "An Act to authorize the Employment of Volunteers to aid in enforcing the Laws, and protecting Public Property," approved July twenty-two, eighteen hundred and sixty-one.*

Persons discharged within two years of enlistment, by reason of wounds, &c., entitled to bounty. Repealing clause.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every non-commissioned officer, private, or other person who has been or shall hereafter be discharged from the army of the United States, within two years from the date of their enlistment, by reason of wounds received in battle, shall be entitled to receive the same bounty as is granted or may be granted to the same classes of persons who are discharged after a service of two years; and all acts and parts of acts inconsistent with this, are hereby repealed.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. LXXXV. — *An Act concerning Letters of Marque, Prizes, and Prize Goods.*

President may issue letters of marque, &c. Rules for adjudication, &c., of prizes. Authority, when to cease.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all domestic and foreign wars the President of the United States is authorized to issue to private armed vessels of the United States, commissions, or letters of marque and general reprisal in such form as he shall think proper, and under the seal of the United States, and make all needful rules and regulations for the government and conduct thereof, and for the adjudication and disposal of the prizes and salvages made by such vessels: *Provided,* That the authority conferred by this act shall cease and terminate at the end of three years from the passage of this act.

APPROVED, March 3, 1863.

CHAP. LXXXVI. — *An Act further to regulate Proceedings in Prize Cases, and to amend various Acts of Congress in Relation thereto.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any prize property shall be condemned in any district or circuit court, or shall at any stage of the proceedings be found by the court to be perishing, perishable, or liable to deteriorate or depreciate, or whenever the costs of keeping the same shall be disproportionate to its value, or whenever all the parties in interest who have appeared in the case shall agree thereto, it shall be the duty of the court to order a sale thereof, and no appeal shall operate to prevent the making or execution of such order. And upon any sale, it shall be the duty of the marshal forthwith to deposit the gross proceeds of the sale with the assistant treasurer of the United States nearest to the place of sale, and subject to the order of the court in the particular case; and the court may at any time order the payment from such deposit of the expenses and disbursements necessarily incurred in the custody, preservation, and sale of said property, audited and allowed by the court in the manner provided by law. And when a decree of condemnation shall be made in any cause, the court may, in like manner, order the payment from said deposit of the costs, fees, and charges decreed in the cause. And on a final decree of distribution, after the payment of such costs, fees, and expenses, the residue of the deposit shall, by order of the court, be paid into the treasury of the United States for distribution according to the decree. And the clerk of the court shall forthwith transmit to the Secretary of the Treasury and the Secretary of the Navy certified copies of said final decree of distribution; and in case the final decree shall be for restitution without costs, the costs, fees, and disbursements allowed by the court and unpaid shall be a charge upon the fund for defraying the expenses of suits in which the United States is a party or interested. And the Treasury Department shall credit the Navy Department with the amount held for distribution; and the several officers, marines, sailors, and other persons in the naval service entitled to share in the prize money, shall be credited in their accounts with the Navy Department with the amount to which they are respectively entitled.

Sale of prize property, when court to order.

Appeal not to prevent. Proceeds of sale.

Payment of expenses and disbursements.

Costs, fees, and charges.

Residue to be paid into the treasury.

Clerk to transmit copies of final decree.

Costs, how paid when decree is for restitution without costs.

Those in naval service entitled to the prize-money to be credited therewith.

SEC. 2. *And be it further enacted,* That the Secretary of the Navy or the Secretary of War shall be, and they or either of them are hereby, authorized to take any captured vessel, any arms or munitions of war, or other material, for the use of the Government; and when the same shall have been taken, before being sent in for adjudication, or afterwards, the department for whose use it was taken shall deposit the value of the same in the treasury of the United States, subject to the order of the court in which prize proceedings shall be taken in the case; and when there is a final decree of distribution in the prize court, or if no proceedings in prize shall be taken, the money shall be credited to the Navy Department to be distributed according to law.

Captured vessels, arms, &c., may be taken for government use.

Proceedings in such cases.

SEC. 3. *And be it further enacted,* That the Secretary of the Navy shall employ an auctioneer or auctioneers of established reputation in that branch of merchandise, to make sales of all prize goods, under the direction of the marshal of the district in which the property shall be ordered to be sold, and at a rate of compensation not to exceed in any case one and one fourth per centum upon the gross amount of the sales; and such sales shall be advertised in the fullest and most conspicuous manner, and to the satisfaction of the Secretary of the Navy; and any fraud, collusion, or combination, or any act or fraudulent device or contrivance in the sale and disposition of any prize property, by which the captors or the Government are or may be defrauded, shall be, and is hereby, declared to be a felony; and any public officer or agent, or any other person engaged therein, upon conviction thereof by or before any court of competent juris-

Secretary of the Navy to employ auctioneers to sell prize goods under the direction of the marshal.

Pay. Advertisement. Collusion, &c., in sale to defraud captors, &c., made a felony, and how punished.

diction, shall be liable to a fine not exceeding twenty thousand dollars, and to imprisonment not exceeding ten years, or to both, in the discretion of the court.

Counsel to captors.
1862, ch. 50, § 3.
Ante, p. 375.

Compensation.

1862, ch. 204,
§ 12.
Ante, p. 608.

Authority of Secretary of Navy to employ counsel repealed.

Commissioners of prize not to exceed two in any district.

One to be retired naval officer.

Salaries.

Counsel fees,

how paid.

Witness fees, how paid.

Appeals from district courts to be directly to supreme court, and within thirty days, unless, &c.

In what cases appeals may be claimed.

Repealing clause.

SEC. 4. *And be it further enacted*, That the third section of the act of twenty-fifth March, eighteen hundred and sixty-two, entitled "An act to facilitate evidence and proceedings in and adjudications upon captured property of prize," be, and the same is hereby, amended, so that the compensation of counsel to the captors to be adjusted and determined by the court, and paid and allowed as costs, shall be confined to compensation for such services as may be rendered necessary by reason of the captors having interests conflicting with those of the United States, and proper in the opinion of the court to be represented by separate counsel from those representing the United States. And so much of the twelfth section of the act of July seventeen, eighteen hundred and sixty-two, entitled "An act for the better government of the navy of the United States," as authorizes the Secretary of the Navy to employ an agent or counsel for the captors and to fix his compensation, is hereby repealed.

SEC. 5. *And be it further enacted*, That the commissioners in prize shall not exceed two in any district of the courts of the United States, to be appointed by the district court of each district, one of whom shall be a retired naval officer, to be appointed by the court and approved by the Secretary of the Navy; and the annual salaries in each district of both commissioners shall not exceed six thousand dollars; and all counsel fees in prize cases in the supreme court of the United States, which have been or may be incurred or authorized by any department of the Government, shall be audited and allowed by the Attorney-General and solicitor of the treasury, and shall be a charge upon and paid out of the fund appropriated for defraying the expenses of suits in which the United States are parties or interested.

SEC. 6. *And be it further enacted*, That when the court shall allow witnesses' fees to any witness in a prize cause, and the court has no money subject to its order in the cause, the same shall be paid by the marshal as in the case of witnesses in causes in which the United States is a party, and shall be repaid from any money deposited to the order of the court in said cause.

SEC. 7. *And be it further enacted*, That appeals from the district courts of the United States in prize causes shall be directly to the supreme court, and shall be made within thirty days of the rendering of the decree appealed from, unless the court shall previously have extended the time for cause shown in the particular case; and the supreme court shall always be open for the entry of such appeals. Such appeals may be claimed whenever the amount in controversy exceeds two thousand dollars, and in other cases on the certificate of the district judge that the adjudication involves a question of difficulty and general importance.

SEC. 8. *And be it further enacted*, That all provisions of law which are inconsistent with those of this act shall be, and are hereby, repealed.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. LXXXVII.—*An Act to equalize and establish the Compensation of the Collectors of the Customs on the Northern, Northeastern, and Northwestern Frontiers, and for other Purposes.*

Collectors of customs to render with accounts, lists of clerks, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the collector of customs of each of the districts aforesaid shall render, with his accounts of the expenses incident to his office, a list of the clerks and other officers of the customs employed by him, stating the rate of compensation allowed to each, the duties they severally perform, and also an account of the sums paid for stationery, fuel, and all other office expenses, including office rent;

for all of which expenses he shall submit an estimate each month in advance, and shall state the purposes for which any premises are used; and shall also render an accurate account of all fees and commissions collected by him. Monthly estimate in advance.

SEC. 2. *And be it further enacted*, That the district of Sackett's Harbor be, and is hereby, annexed to the district of Cape Vincent, and the district so annexed is hereby abolished and constituted a part of the district to which it is annexed; and that the district of Niagara is hereby extended so as to include the entire county of Niagara to the channel of Tonawanda creek; and that Lewiston, in the district of Niagara, is hereby discontinued as a port of entry, and that the port of entry for the district be, and is hereby, established at Suspension Bridge. District of Sackett's Harbor annexed to that of Cape Vincent, of Niagara extended, of Lewiston discontinued. Port of entry established at Suspension Bridge.

SEC. 3. *And be it further enacted*, That Plattsburg, in the district of Champlain, is hereby discontinued as a port of entry, and that the port of entry for the district be, and is hereby, established at Rouse's Point, at which place the collector of the district shall reside, and a deputy collector shall reside at Plattsburg; and all vessels passing through Lake Champlain, from Canada, shall hereafter be required to report to the collector of customs at Rouse's Point. Plattsburg discontinued as a port of entry. Port of entry at Rouse's Point.

SEC. 4. *And be it further enacted*, That Michilimackinack, in the district of Michilimackinack, is hereby discontinued as a port of entry, and that the port of entry for the district be, and is hereby, established at Sault Ste. Marie, at which place the collector of the district shall reside, and a deputy collector shall reside at Michilimackinack. Port of entry at Sault Ste. Marie established, and that at Michilimackinack discontinued.

SEC. 5. *And be it further enacted*, That all acts and parts of acts repugnant to the provisions of this act be, and the same are hereby, repealed. Repealing clause.

APPROVED, March 3, 1863.

CHAP. LXXXVIII. — *An Act to facilitate the Collection of the Revenue in El Paso County, Texas, and in the Territory of New Mexico.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tenth section of an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending thirtieth of June, eighteen hundred and fifty-eight," approved March third, eighteen hundred and fifty-seven, be, and the same is hereby, repealed; and the act entitled "An act creating a collection district in Texas and New Mexico," approved August second, eighteen hundred and fifty-four, is hereby revived and reenacted: *Provided*, That the collector shall reside at El Paso, Texas, instead of Frontera. Collection district in Texas and New Mexico. 1857, ch. 107, § 10. Vol. xi. p. 221. 1854, ch. 193. Vol. x. p. 335. Residence of collector.

SEC. 2. *And be it further enacted*, That the jurisdiction of the district court of New Mexico shall extend over the citizens of El Paso county, Texas, only in cases not instituted by indictment, and the trial and proceedings for violations of the revenue laws in said district court of New Mexico shall be the same as in other district courts of the United States invested with admiralty powers; and this act shall take effect from and after its passage. Jurisdiction of district court of New Mexico. Violations of revenue laws how tried. When act takes effect.

APPROVED, March 3, 1863.

CHAP. LXXXIX. — *An Act to authorize the Appointment of an Assistant Treasurer of the United States; and to fix the Pay of the Treasurer, Assistant Treasurer, Clerks, and Messengers in the Office of the Treasurer of the United States.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to appoint, from time to time, by and with the consent and approval of the Senate of the United States, an assistant treasurer of the United States; and the treasurer of the United States may, in his discretion, with the consent of the Secretary of the Treasury of the United States, authorize the said assistant to act in Appointment of assistant treasurer of the United States authorized.

Power and duties. the place and stead, and at any and at all times to discharge any or all the duties required by law of the said treasurer of the United States.

Cashier and assistant. SEC. 2. *And be it further enacted*, That the Secretary of the Treasury of the United States be, and is hereby, authorized to appoint, in addition to the clerks now authorized by law, a cashier, with an annual salary of two thousand four hundred dollars per annum; an assistant cashier, with an annual salary of two thousand dollars per annum; four chiefs of divisions, with annual salaries of one thousand eight hundred dollars each per annum; and also a messenger, an assistant messenger, and two laborers, in addition to those now allowed, at the compensation now authorized by law.

Salaries. SEC. 3. *And be it further enacted*, That there shall be paid to the treasurer of the United States, in lieu and stead of his present compensation, commencing with and including the first day of July, eighteen hundred and sixty-two, the sum of five thousand dollars per annum; but from which amount there shall be deducted all sums of money heretofore paid to, or received by, the said treasurer, on account of his compensation for services rendered as treasurer of the United States, since and including the day aforesaid, and the income tax on such additional compensation as will have accrued since the first day of September, eighteen hundred and sixty-two; and there shall be paid to the assistant treasurer of the United States an annual compensation of twenty-five hundred dollars.

Chiefs of divisions. Salaries. Messenger, assistant, and laborers. Salary of treasurer of the United States, of assistant treasurer. Appropriations therefor. SEC. 4. *And be it further enacted*, That the compensation of the treasurer, deputy treasurer, clerks, and messengers aforesaid, for the current and next fiscal years, shall be paid out of any money in the treasury not otherwise appropriated. Estimates for all such compensations, after the next fiscal year, shall be submitted by the Secretary of the Treasury with his annual estimates.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. XC. — *An Act to protect the Liens upon Vessels in certain Cases, and for other Purposes.*

Bona fide claims of loyal citizens, &c., duly established, to be first provided for out of the proceeds of vessels or other property confiscated. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in all cases now or hereafter pending wherein any ship, vessel, or other property, shall be condemned in any proceeding by virtue of the acts* above mentioned, or of any other laws on that subject, the court rendering judgment of condemnation shall, notwithstanding such condemnation, and before awarding such ship, vessel, or other property, or the proceeds thereof, to the United States, or to any informer, first provide for the payment, out of the proceeds of such ship, vessel, or other property, of any bona fide claims which shall be filed by any loyal citizen of the United States, or of any foreign state or power at peace and amity with the United States, intervening in such proceeding, and which shall be duly established by evidence as a valid claim against such ship, vessel, or other property, under the laws of the United States or of any loyal state thereof: *Provided*, That no such claim shall be allowed in any case where the claimant shall have knowingly participated in the illegal use of such ship, vessel, or other property: *And provided, also*, That this act shall extend to such claims only as might have been enforced specifically against such ship, vessel, or other property, in any loyal state wherein such claim arose.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. XCI. — *An Act to reorganize the Courts in the District of Columbia, and for other Purposes.*

Supreme court established in the *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be established

* Reference is had to the act of July 13, 1861, ch. 3 (*Ante*, p. 255), and to the act of August 6, 1861, ch. 60 (*Ante*, p. 319), which were recited in the title of the bill as reported. When the act was passed, its title was changed, but this clause was not altered.

in the District of Columbia a court to be called the supreme court of the District of Columbia, which shall have general jurisdiction in law and equity. It shall consist of four justices, one of whom shall be denominated as chief justice. These justices shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold their offices during good behavior. Each justice, before he enters upon the duties of his office, shall take the oath prescribed to be taken by judges of the courts of the United States. Any three of said justices may hold a general term, and any one of them may hold a special term, or circuit court, as hereinafter provided. A special term may be held at the same time with a circuit court and by the same justice.

District of Columbia.
Jurisdiction.
Justices.
Appointment and term of office.

Oath.

General term.
Special term.

SEC. 2. *And be it further enacted,* That the said court shall have power to appoint a clerk, who shall take the oath, and give a bond, with sureties, in the manner prescribed by law for clerks of district courts of the United States.

Clerk, bond, sureties.

SEC. 3. *And be it further enacted,* That the supreme court organized by this act shall possess the same powers and exercise the same jurisdiction as is now possessed and exercised by the circuit court of the District of Columbia, and the justices of the court so to be organized shall severally possess the powers and exercise the jurisdiction now possessed and exercised by the judges of said circuit court. Any one of said justices may hold a district court of the United States for the District of Columbia, in the same manner and with the same powers and jurisdiction possessed and exercised by other district courts of the United States. Any one of said justices may also hold a criminal court for the trial of all crimes and offences arising within said district, which court shall possess the same powers and exercise the same jurisdiction now possessed and exercised by the criminal court of the District of Columbia.

Powers and jurisdiction of supreme court.

District court.

Criminal court.

SEC. 4. *And be it further enacted,* That general terms of the said supreme court shall be held at the same times at which terms of the circuit court of the District of Columbia are now required to be held, and at the same place. District courts and criminal courts shall also be held by one of said justices at the several times when such courts are now required by law to be held, and at the same place.

General terms of supreme court.

Terms of district and criminal courts.

SEC. 5. *And be it further enacted,* That special terms of said supreme court shall be held by one of said justices, at such time or times as the said court, in general term, shall appoint. Non-enumerated motions in all suits and proceedings at law and in equity shall first be heard and determined at such special terms. Suits in equity, not triable by jury, shall also be heard and determined at such special terms. But the justice holding such special term may, in his discretion, order any such motion or suit to be heard, in the first instance, at a general term. Any party aggrieved by any order, judgment, or decree, made or pronounced at any such special term, may, if the same involve the merits of the action or proceeding, appeal therefrom to the general term of said supreme court, and upon such appeal the general term shall review such order, judgment, or decree, and affirm, reverse, or modify the same, as shall be just.

Special terms of supreme court.

Appeals to general term.

SEC. 6. *And be it further enacted,* That the said court, in general term, shall adopt such rules as it may think proper to regulate the time and manner of making appeals from the special term to the general term, and may prescribe the terms and conditions upon which such appeals may be made. Such court may also establish such other rules as it may deem necessary for regulation of the practice of the several courts organized by this act, and from time to time revise and alter such rules. It may also determine by rule what motions shall be heard at a special term, as non-enumerated motions, and what motions shall be heard at a general term in the first instance.

Rules for appeals and practice.

SEC. 7. *And be it further enacted,* That all issues of fact triable by a jury or by the court shall be tried before a single justice; when the trial

Trials of issues of fact,

- is by jury, at a circuit court; and when the trial is without a jury, at a circuit court or special term. Issues of law may be tried at a circuit court or special term. At any time after issue, and at least ten days before the sitting of the court, either party may give notice of trial. The party giving the notice shall furnish the clerk, at least four days before the sitting of the court, with a note of the issue, containing the title of the action, the names of the attorneys, and the time when the last pleading was served; and the clerk shall thereupon enter the cause upon a calendar, according to the date of the issue.
- Issues of law, how tried.**
- Exceptions.** SEC. 8. *And be it further enacted,* That if, upon the trial of a cause, an exception be taken, it may be reduced to writing at the time, or it may be entered on the minutes of the justice, and afterwards settled in such manner as may be provided by the rules of the court, and then stated in writing in a case or bill of exceptions, with so much of the evidence as may be material to the questions to be raised, but such case or bill of exceptions need not be sealed or signed. The justice who tries the cause
- New trials.** may, in his discretion, entertain a motion, to be made on his minutes, to set aside a verdict and grant a new trial upon exceptions, or for insufficient evidence, or for excessive damages: *Provided,* That such motion be made at the same term or circuit at which the trial was had. When such motion is made and heard upon the minutes, an appeal to the general term may be taken from the decision, in which case a bill of exceptions or case shall be settled in the usual manner.
- Proviso.**
- Motion for new trial, &c., to be heard at general term.** SEC. 9. *And be it further enacted,* That a motion for a new trial on a case or bill of exceptions, and an application for judgment on a special verdict or a verdict taken subject to the opinion of the court, shall be heard in the first instance at a general term.
- Writs, &c., how tested.** SEC. 10. *And be it further enacted,* That writs and process issued out of the court hereby organized may be tested in the name of any justice of said court.
- Writs of error and appeals to supreme court of the United States.** SEC. 11. *And be it further enacted,* That any final judgment, order, or decree of said court may be reëxamined and reversed or affirmed in the supreme court of the United States, upon writ of error or appeal, in the same cases and in like manner as is now provided by law in reference to the final judgments, orders, and decrees of the circuit court of the United States for the District of Columbia.
- Appeals from judgments of justices of the peace.** SEC. 12. *And be it further enacted,* That appeals may be made from the judgments of justices of the peace to the court hereby organized in like manner and in the same cases in which such appeals are now allowed to the circuit court of the United States for the District of Columbia. Such appeals shall be heard and decided at a special term.
- Provision for pending process.** SEC. 13. *And be it further enacted,* That all suits and proceedings which, at the time this act takes effect, shall be pending in any of the courts hereby abolished shall be transferred to the courts to be established under the provisions of this act, and may be prosecuted therein with the same effect as they might have been in the court in which the same were commenced. Process issued out of any of said courts shall also be returned to the court hereby established.
- Justices of the peace may be removed on notice, &c.** SEC. 14. *And be it further enacted,* That justices of the peace may be removed by the court to be organized under the provisions of this act at a general term, after due notice, and an opportunity to be heard in their defence, and for causes to be assigned in the order of removal.
- Pay of justices.** SEC. 15. *And be it further enacted,* That the justices to be appointed by virtue of this act shall receive an annual salary of three thousand dollars, to be paid quarterly at the treasury of the United States.
- Circuit, district, and criminal courts of the District of Columbia abolished.** SEC. 16. *And be it further enacted,* That the circuit court, district court, and criminal court of the District of Columbia are hereby abolished. All laws and parts of laws relating to said courts, so far as the same are applicable to the courts created by this act, are hereby con-

tinued in force in respect to such courts, and all other laws and parts of laws relating to said circuit, district, and criminal courts, are repealed.

Saving and repealing clause.

SEC. 17. *And be it further enacted,* That the President of the United States be, and he is hereby, authorized and empowered to appoint, by and with the advice and consent of the Senate, a suitable person, learned in the law, to revise and codify the laws of the District of Columbia.

President may appoint person to codify laws of the District of Columbia.

SEC. 18. *And be it further enacted,* That the person who shall be thus appointed shall receive ten dollars per day for his services whilst so employed, and shall render a final report of his revision and codification to Congress on or before the first day of January next.

Pay, and when to report.

APPROVED, March 3, 1863.

CHAP. XCII. — *An Act to amend "An Act to establish a Court for the Investigation of Claims against the United States," approved February twenty-fourth, eighteen hundred and fifty-five.*

March 8, 1863.

1855, ch. 122.
vol. x. p. 612.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be appointed by the President, by and with the advice and consent of the Senate, two additional judges for the said court, to hold their offices during good behavior, who shall be qualified in the same manner, discharge the same duties, and receive the same compensation, as now provided in reference to the judges of said court; and that from the whole number of said judges the President shall in like manner appoint a chief justice for said court.

Two additional judges for the court of claims.

SEC. 2. *And be it further enacted,* That all petitions and bills praying or providing for the satisfaction of private claims against the Government, founded upon any law of Congress, or upon any regulation of an executive department, or upon any contract, express or implied, with the Government of the United States, shall, unless otherwise ordered by resolution of the house in which the same are presented or introduced, be transmitted by the secretary of the Senate or the clerk of the House of Representatives, with all the accompanying documents, to the court aforesaid.

All petitions and bills for private claims against the government to be sent to the court.

SEC. 3. *And be it further enacted,* That the said court, in addition to the jurisdiction now conferred by law, shall also have jurisdiction of all set-offs, counter-claims, claims for damages, whether liquidated or unliquidated, or other demands whatsoever, on the part of the Government against any person making claim against the Government in said court; and upon the trial of any such cause it shall hear and determine such claim or demand both for and against the Government and claimant; and if upon the whole case it finds that the claimant is indebted to the Government, it shall *under* [render] judgment to that effect, and such judgment shall be final, with the right of appeal, as in other cases herein provided for. Any transcript of such judgment, filed in the clerk's office of any district or circuit court of the United States, shall be entered upon the records of the same, and shall ipso facto become and be a judgment of such district or circuit court, and shall be enforced in like manner as other judgments therein.

Court to consider set-offs, &c., for the government.

If the court finds that the claimant owes the Government, to render judgment therefor.

Transcript of judgment to be entered in district, &c., court, and be enforced like other judgments.

SEC. 4. *And be it further enacted,* That the said court of claims shall hold one annual session, commencing on the first Monday in October in each year, and continuing so long as may be necessary for the prompt disposition of the business of the court. The said court may prescribe rules and regulations for practice therein, and it may punish for contempt, in the manner prescribed by common law. It may appoint commissioners, and may generally exercise such powers as are necessary to carry out the powers herein granted to it. The judges, solicitors, and clerks of said court shall be admitted to the use of the congressional library, and also the law library, until a law library be provided for them. The said court may appoint a bailiff, who shall hold his office during four years, unless sooner removed by said court for cause, and who shall receive a salary of

Annual session to commence 1st Monday in October.

Rules.
Commissioners.

Law library.

Bailiff.
Salary.

- Oaths, &c.
Seal.
- Members of Congress not to practise in court of claims.
- Appeals to supreme court.
- When to be taken.
- When an appeal may be had without reference to amount in controversy.
- Solicitor and assistants, how appointed.
- Duty.
- No fee but salary.
- Claims sustained, how paid.
- Interest.
- Payments to be a full discharge, and bar all further claim.
- Claimant may be examined on oath.
- Proceedings.
- one thousand dollars, payable quarterly. The judges and clerks of said court may administer oaths and affirmations, take acknowledgments of instruments in writing, and give certificates of the same. Said court shall have a seal, with such device as it may order. Members of either house of Congress shall not practice in said court of claims.
- SEC. 5. *And be it further enacted*, That either party may appeal to the supreme court of the United States from any final judgment or decree which may hereafter be rendered in any case by said court wherein the amount in controversy exceeds three thousand dollars, under such regulations as the said supreme court may direct: *Provided*, That such appeal shall be taken within ninety days after the rendition of such judgment or decree: *And provided, further*, That when the judgment or decree will affect a class of cases, or furnish a precedent for the future action of any executive department of the Government in the adjustment of such class of cases, or a constitutional question, and such facts shall be certified to by the presiding justice of the court of claims, the supreme court shall entertain an appeal on behalf of the United States, without regard to the amount in controversy.
- SEC. 6. *And be it further enacted*, That the solicitor, assistant solicitor, and deputy solicitor of said court, shall hereafter be appointed by the President, by and with the advice and consent of the Senate, and it shall be their duty faithfully and diligently to defend the United States in all matters and cases before said court of claims; and in all cases taken by appeal therefrom to the supreme court; and no other fee or compensation than the salary of said solicitor, and assistant and deputy solicitors, shall hereafter, in any case, be paid to either of them, and no fee or compensation for services in either the supreme court or court of claims shall hereafter be allowed or paid in any case by the United States.
- SEC. 7. *And be it further enacted*, That in all cases of final judgments by said court, or on appeal by the said supreme court where the same shall be affirmed in favor of the claimant, the sum due thereby shall be paid out of any general appropriation made by law for the payment and satisfaction of private claims, on presentation to the Secretary of the Treasury of a copy of said judgment, certified by the clerk of said court of claims, and signed by the chief justice, or, in his absence, by the presiding judge, of said court. And in cases where the judgment appealed from is in favor of said claimant, or the same is affirmed by the said supreme court, interest thereon at the rate of five per centum shall be allowed from the date of its presentation to the Secretary of the Treasury for payment as aforesaid, but no interest shall be allowed subsequent to the affirmation, unless presented for payment to the Secretary of the Treasury as aforesaid: *Provided*, That no interest shall be allowed on any claim up to the time of the rendition of the judgment by said court of claims, unless upon a contract expressly stipulating for the payment of interest, and it shall be the duty of the Secretary of the Treasury, at the commencement of each Congress, to include in his report or [a] statement of all sums paid at the treasury on such judgments, together with the names of the parties in whose favor the same were allowed: *And it is further provided*, That such payments shall be a full discharge to the United States of all claim or demand touching any of the matters involved in the controversy: *And provided further*, That any final judgment rendered against the claimant on any claim prosecuted as aforesaid shall forever bar any further claim or demand against the United States arising out of the matters involved in the controversy.
- SEC. 8. *And be it further enacted*, That it shall be lawful for said court, at the instance of the solicitor for the United States, to make an order in any case pending in said court, directing that the claimant or claimants in such case, or any one or more of them, shall appear, upon reasonable notice, before any commissioner of said court, and be examined on oath or

affirmation touching any or all matters pertaining to said claim. And the examination of such claimant or claimants shall be reduced to writing by the said commissioner, and be returned to and filed in said court, and may, at the discretion of the solicitor for the United States, be read and used as evidence on the trial of said cause. And if any claimant or claimants, after such order has been made, and due and reasonable notice thereof given to him or them, shall fail to appear or shall refuse to testify or answer fully as to all matters within his knowledge material to the issue, the said court may, in its discretion, order that the said cause shall not be brought forward for trial until the said claimant or claimants shall have fully complied with the order of said court in the premises.

Examination to be reduced to writing.

If claimants neglect or refuse.

SEC. 9. *And be it further enacted,* That the jurisdiction of the said court shall not extend to or include any claim against the Government not pending in said court on the first day of December, Anno Domini eighteen hundred and sixty-two, growing out of or dependent on any treaty stipulation entered into with foreign nations or with the Indian tribes.

Court not to have jurisdiction of certain claims.

SEC. 10. *And be it further enacted,* That every claim against the United States, cognizable by the court of claims, shall be forever barred unless the petition setting forth a statement of the claim be filed in the court or transmitted to it under the provisions of this act within six years after the claim first accrues: *Provided,* That claims which have accrued six years before the passage of this act shall not be barred if the petition be filed in the court or transmitted as aforesaid within three years after the passage of this act: *And provided, further,* That the claims of married women first accrued during marriage, of persons under the age of twenty-one years first accruing during minority, and of idiots, lunatics, insane persons, and persons beyond seas at the time the claim accrued, entitled to the claim, shall not be barred if the petition be filed in the court or transmitted, as aforesaid, within three years after the disability has ceased; but no other disability than those enumerated shall prevent any claim from being barred, nor shall any of the said disabilities operate cumulatively.

Claims to be filed in court within six years.

Proviso.

Persons under disability.

SEC. 11. *And be it further enacted,* That any person or persons who shall corruptly practise or attempt to practise any fraud against the United States in the proof, statement, establishment, or allowance of any claim, or any part of any claim against the United States, shall ipso facto forfeit the same to the Government; and it shall be the duty of the court of claims, in such cases, to find specifically that such fraud was practised or attempted to be practised, and thereupon give judgment that such claim is forfeited to the Government, and that the claimant be forever barred from prosecuting the same. Appeals may be taken from the court of claims to the supreme court, in all such cases, on all questions of law, in the manner herein provided for appeals in other cases.

Attempts to practise any fraud upon the United States, how punished.

Appeals.

SEC. 12. *And be it further enacted,* That any petition filed under this act shall be verified by the affidavit of the claimant, his agent, or attorney, stating that no assignment or transfer of said claim, or any part thereof, or any interest therein, has been made, except as in said petition stated; that said claimant is justly entitled to the amount therein claimed from the United States, after allowing all just credits and offsets; and that he believes the facts as stated in said petition are true: *Provided, however,* That in order to authorize the said court to render a judgment in favor of any claimant, if a citizen of the United States, it shall be set forth in the petition that the claimant, and the original and every prior owner thereof where the claim has been assigned, has at all times borne true allegiance to the Government of the United States, and whether a citizen or not, that he has not in any way voluntarily aided, abetted, or given encouragement to rebellion against the said Government, which allegations may be traversed by the Government, and if on the trial such issue shall be decided against the claimant, his petition shall be dismissed.

Petitions to the court to be verified by affidavit.

Proviso.

Repeal of inconsistent laws.

Money not to be paid out for claims until appropriated upon estimates.

SEC. 13. *And be it further enacted*, That all laws and parts [of laws] inconsistent with the provisions of this act are hereby repealed.

SEC. 14. *And be it further enacted*, That no money shall be paid out of the treasury for any claim passed upon by the court of claims till after an appropriation therefor shall be estimated for by the Secretary of the Treasury.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. XCIII. — *An Act to give greater Efficiency to the Judicial System of the United States.*

In case of disability, &c., of the judge of the supreme court for any circuit, judge of other circuit may hold the court.

Proceedings.

Judge of any circuit may order any civil cause certified into any circuit, to be certified back.

Proviso.

If there is no judge of any circuit, the chief justice of the supreme court may make the requests.

Vacancies in office of marshal or district attorney, when filled by the court.

Appointment, how made.

Bond of clerk,

of marshal.

Repealing clause.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the judge of the supreme court for any circuit, from disability, absence, the accumulation of business in the circuit court in any district within his circuit, or from his having been of counsel or being interested in any case pending in such circuit court, or from any other cause, shall deem it advisable that the circuit court in such district shall be holden by the judge of any other circuit, he may request, in writing, the judge of any other circuit to hold the circuit court in such district, during a time to be named in such request; and such request shall be entered upon the journal of the circuit court so to be holden. And thereupon it shall be lawful for the judge so requested to hold the circuit court in such district, and to exercise all the powers of the judge of such circuit within and for such district during the time named in such request.

SEC. 2. *And be it further enacted*, That the judge of any circuit may order any civil cause certified into any circuit court within his circuit from any court of the United States, to be certified back to the court whence it came; and in such case such cause shall be proceeded in by such court, in all respects, as if the same had not been certified from it: *Provided*, That if from any cause it shall be improper for the judge of such court to try any such cause so certified back, the same shall be tried by some other judge holding such court, pursuant to the provisions of this act. Whenever, by reason of death or resignation, there shall be no judge of any circuit, the chief justice of the supreme court of the United States may make the requests herein provided for, which shall be operative until such circuit shall be assigned to another judge. In case of a vacancy in the office of marshal or district attorney in any circuit, the judge of such circuit may fill such vacancy, and the person so appointed shall serve until an appointment shall be made by the President, and the appointee has duly qualified, and no longer; and the marshal so appointed shall give bond as if appointed by the President, and the bond shall be approved by such judge. The appointment so made shall be in writing, and such writing shall be filed in the clerk's office of the circuit court, and a copy thereof shall be entered upon the journal of such court. The clerk of every court shall give bond in such sum as may be fixed by the court, with sureties to be approved by the court, and a new bond may be required whenever the court shall deem it proper that such bond shall be given. Every marshal's bond so given shall be filed in the office of the clerk of the circuit court, and a copy thereof entered upon the journal of the court. A copy of every bond given by a clerk shall be entered on the journal of the court for which he is appointed, and the bond shall be deposited for safe-keeping as the court may direct. A certified copy of such entry shall be *prima facie* proof of the execution of such bond, and of the contents thereof.

SEC. 3. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

APPROVED, March 3, 1863.

CHAP. XCIV. — An Act to amend an Act entitled "An Act to further promote the Efficiency of the Navy," approved December twenty-one, eighteen hundred and sixty-one, and for other Purposes.

March 3, 1863.
1862, ch. 1.
Ante, p. 329.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any captain in the navy retired by the act entitled "An act to further promote the efficiency of the navy," approved December twenty-one, eighteen hundred and sixty-one, duly recommended according to law, may be promoted to the grade of commodore upon the retired list.

Any captain retired, may be promoted to the grade of commodore.

SEC. 2. And be it further enacted, That section twelve of an act entitled "An act to establish and equalize the grades of line officers of the United States navy," approved July sixteen, eighteen hundred and sixty-two, to wit: "And be it further enacted, That the three senior rear admirals shall wear a square blue flag at the mainmast head, the next three at the foremast head, and all others at the mizen," be, and the same is hereby, repealed.

Repeal of § 12 of act of 1862, ch. 133.
Ante, p. 585.

APPROVED, March 3, 1863.

CHAP. XCV. — An Act to facilitate the taking of Depositions within the United States, to be used in the Courts of other Countries, and for other Purposes.

March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the testimony of any witness residing within the United States, to be used in any suit for the recovery of money or property depending in any court in any foreign country with which the United States are at peace, and in which the government of such foreign country shall be a party or shall have an interest, may be obtained, to be used in such suit. If a commission or letters rogatory to take such testimony shall have been issued from the court in which said suit is pending, on producing the same before the district judge of any district where said witness resides or shall be found, and on due proof being made to such judge that the testimony of any witness is material to the party desiring the same, such judge shall issue a summons to such witness requiring him to appear before the officer or commissioner named in such commission or letters rogatory, to testify in such suit. Such summons shall specify the time and place at which such witness is required to attend, which place shall be within one hundred miles of the place where said witness resides or shall be served with said summons.

Testimony of witnesses in the United States may be taken to be used in suits in foreign countries.

Mode of procedure.

Summons.

SEC. 2. And be it further enacted, That if any person shall refuse or neglect to appear at the time and place mentioned in the summons issued, in accordance with this act, or if, upon his appearance, he shall refuse to testify, he shall be liable to the same penalties as would be incurred for a like offence on the trial of a suit in the district court of the United States.

Penalty on witness for not appearing or refusing to testify.

SEC. 3. And be it further enacted, That every witness who shall appear and testify, in manner aforesaid, shall be allowed and shall receive from the party, at whose instance he shall have been summoned, the same fees and mileage as are allowed to witnesses in suits depending in the district courts of the United States.

Fees and mileage of witnesses.

SEC. 4. And be it further enacted, That whenever any commission or letters rogatory, issued to take the testimony of any witness in a foreign country, in any suit in which the United States are parties or have an interest, shall have been executed by the court or the commissioner to whom the same shall have been directed, the same shall be returned by such court or commissioner to the minister or consul of the United States nearest the place where said letters or commission shall have been executed, who, on receiving the same, shall indorse thereon a certificate, stating the time and place when and where the same was received; and

Commissions to take testimony of witnesses in foreign countries in suits in which the United States are parties, how returned.

Depositions. that the said deposition is in the same condition as when he received the same; and he shall thereupon transmit the said letters or commission, so executed and certified, by mail, to the clerk of the court from which the same issued, in the manner in which his official despatches are transmitted to the Government. And the testimony of witnesses so, as aforesaid, taken and returned, shall be read as evidence on the trial of the suit in which the same shall have been taken, without objection as to the method of returning the same.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. XCVI.—*An Act to establish a Branch Mint of the United States in the Territory of Nevada.*

Branch mint established at Carson City, Nevada. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a branch of the mint of the United States be located and established at Carson City, in the Territory of Nevada, for the coinage of gold and silver.

President to appoint officers of mint. SEC. 2. *And be it further enacted,* That, for carrying on the business of said branch, the following officers shall be appointed, as soon as the public interest shall require their service, upon the nomination of the President, by and with the advice and consent of the Senate, namely: one superintendent, one assayer, one melter and refiner, and one coiner;

Superintendent to appoint clerks. and the said superintendent shall employ as many clerks, subordinate workmen, and laborers, under the direction of the Secretary of the Treasury, as may be required. The salaries of the said officers shall be as follows: To the superintendent, the sum of two thousand dollars; to the assayer, the sum of eighteen hundred dollars; to the melter and refiner,

Salaries. eighteen hundred dollars; to the clerks, subordinate workmen, and laborers, such wages and allowances as are customary, according to their respective stations and occupations.

Officers and clerks to take oath. SEC. 3. *And be it further enacted,* That the officers and clerks to be appointed under this act, before entering upon the execution of their offices, shall take an oath or affirmation, before some judge of the United States or of the supreme court of said Territory, faithfully and diligently

Bond. to perform the duties of their offices, and shall each become bound to the United States of America, with one or more sureties, to the satisfaction of the director of the mint, or the secretary of the Territory of Nevada, and of the Secretary of the Treasury, with the condition of the faithful performance of the duties of their offices.

Director of mint to direct business of branch. SEC. 4. *And be it further enacted,* That the general direction of the business of said branch of the mint of the United States shall be under the control and regulation of the director of the mint at Philadelphia, subject to the approbation of the Secretary of the Treasury; and for that purpose it shall be the duty of the said director to prescribe such regulations and require such returns periodically and occasionally, and to establish such charges for parting, assaying, refining, and coining, as shall appear to him to be necessary for the purpose of carrying into effect the intention of this act in establishing said branch; also for the purpose of preserving uniformity of weight, form, and finish in the coin stamped at said branch.

Branch mint to be place of deposit for public moneys. Superintendent to have custody. SEC. 5. *And be it further enacted,* That said branch mint shall be a place of deposit for such public moneys as the Secretary of the Treasury may direct. And the superintendent of said branch mint, who shall perform the duties of treasurer thereof, shall have the custody of the same, and also perform the duties of assistant treasurer; and for that purpose shall be subject to all the provisions contained in an act entitled "An act to provide for the better organization of the treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue," approved August six, eighteen hundred and forty-six, which relates to the treasury of the branch mint at New Orleans.

SEC. 6. *And be it further enacted,* That the superintendent of said branch mint be authorized, under the direction of the Secretary of the Treasury, and on terms to be prescribed by him, to issue in payment of the gold dust and bullion deposited for assay and coinage or bars, drafts, or certificates of deposit, payable at the treasury or any sub-treasury of the United States, to any depositor electing to receive payment in that form.

Superintendent may pay for dust, &c., deposited, by drafts or certificates of deposit.

SEC. 7. *And be it further enacted,* That all the laws and parts of laws now in force for the regulation of the mint of the United States, and for the government of the officers and persons employed therein, and for the punishment of all offences connected with the mint or coinage of the United States shall be, and they are hereby, declared to be in full force in relation to the branch of the mint by this act established, as far as the same may be applicable thereto.

Laws regulating mint, &c., made applicable to this branch.

SEC. 8. *And be it further enacted,* That the sum of one hundred thousand dollars be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to carry into effect the provisions of this act, and to meet the expenses of the current year and for the fiscal year ending the thirtieth of June, eighteen hundred and sixty-four.

Appropriation to carry this act into effect.

APPROVED, March 3, 1863.

CHAP. XCVII. — *An Act to provide for the Disposal of certain Lands therein named.*

March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the commissioner of the general land-office shall, as soon as may be, cause that portion of the public domain known as the Fort Howard Military Reserve, including the site of the fort, containing three acres and four-hundredths of an acre, which is situated in the county of Brown and State of Wisconsin, between Fox River and Beaver Dam Run, and which is not included in the confirmations to Talbot C. Dousman and Daniel Whitney, nor in the grant to the State of Wisconsin under the resolution of Congress approved April twenty-fifth, eighteen hundred and sixty-two, entitled "A resolution explanatory of, and in addition to, the act of June third, eighteen hundred and fifty-six, granting public lands to the State of Wisconsin to aid in the construction of railroads in said State," as heretofore surveyed under the direction of the surveyor-general of Wisconsin and Iowa, to be surveyed and subdivided into lots of such form and of such size, not less than one fourth of an acre, and not more than forty acres, as he may deem expedient, dedicating such portions of the same to the use of the public for streets and highways as he may think the public interest and convenience may require; and shall cause a plat thereof to be duly and properly certified by such surveyor-general, and recorded in the office of the register of deeds for said county of Brown; and when so surveyed, platted, and recorded, he shall cause each and all said lots to be sold separately at public auction, giving not less than two months' notice of the time and place of such sale by advertising the same in such newspapers and for such period of time as he may deem best. Every such lot shall be sold to the highest bidder for cash, and when not paid for within twenty-four hours from the time of purchase, it shall be liable to be resold under the order of the commissioner of the general land-office aforesaid, but no sale shall be binding until approved by the Secretary of the Interior.

Fort Howard Military Reserve to be surveyed and subdivided into lots.

Resolution number 30.

1856, ch. 43. Vol. xi. p. 20.

Streets.

Plats to be certified and recorded.

Lots to be sold separately at public auction.

Sale not binding unless approved.

Patents.

SEC. 2. *And be it further enacted,* That it shall be the duty of the President to cause patents to be issued in due form of law for each and every such lot as soon as may be after the purchase of and payment for the same.

SEC. 3. *And be it further enacted,* That it shall also be the duty of the commissioner of the land-office to cause so much of the public domain adjacent to said reserve as lies between said Beaver Dam Run and Duck Creek to be re-surveyed into lots, the lines of which shall conform as

Portion of the public domain adjacent to Fort Howard Military Reserve

to be surveyed
into lots,

and disposed of.

Rights of persons in possession, who have made improvements.

Military reserve of Fort Crawford to be surveyed and disposed of.

near as may be to the lines of the survey formerly made by Albert G. Ellis, and shall cause certified plats thereof to be returned as is provided by law in the case of other surveys of the public domain; and he shall thereupon proceed to dispose of the same as other public lands are disposed of, saving to every person who upon the passage of this act may be in possession of any part of said lands, and shall have made improvements thereon, as provided under the preëmption laws of the United States, the right to purchase any lots so improved, lying contiguous to each other, and not exceeding in the aggregate eighty acres, upon making proof of such possession and improvements, and paying for such lots the sum of one dollar and twenty-five cents per acre, within six months after public notice shall be given of the time and place for making such proof and payment.

SEC. 4. *And be it further enacted*, That the commissioner of the general land-office shall cause the military reserve of Fort Crawford, in the county of Crawford, in the same State, to be surveyed and disposed of in the manner prescribed in the first and second sections of this act for the disposition of the Fort Howard Reserve.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. XCVIII. — *An Act for a Grant of Lands to the State of Kansas, in alternate Sections, to aid in the Construction of certain Railroads and Telegraphs in said State.*

Alternate sections of land, &c., granted to Kansas to aid in construction of railroads.

If any section has been sold, &c., an equal quantity to be given in lieu thereof.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Kansas, for the purpose of aiding in the construction: First, of a railroad and telegraph from the city of Leavenworth by the way of the town of Lawrence, and via the Ohio City crossing of the Osage River, to the southern line of the State, in the direction of Galveston bay in Texas, with a branch from Lawrence by the valley of the Wakarusa River, to the point on the Atchison, Topeka, and Santa Fé Railroad where said road intersects the Neosho River. Second, of a railroad from the city of Atchison, via Topeka, the capital of said State, to the western line of the State, in the direction of Fort Union and Santa Fé, New Mexico, with a branch from where this last-named road crosses the Neosho, down said Neosho valley to the point where the said first-named road enters the said Neosho valley; every alternate section of land, designated by odd numbers, for ten sections in width on each side of said roads and each of its branches. But in case it shall appear that the United States have, when the lines or routes of said road and branches are definitely fixed, sold any section or any part thereof, granted as aforesaid, or that the right of preëmption or homestead settlement has attached to the same, or that the same has been reserved by the United States for any purpose whatever, then it shall be the duty of the Secretary of the Interior to cause to be selected, for the purposes aforesaid, from the public lands of the United States nearest to tiers of sections above specified, so much land, in alternate sections or parts of sections, designated by odd numbers, as shall be equal to such lands as the United States have sold, reserved, or otherwise appropriated, or to which the rights of preëmption or homestead settlements have attached as aforesaid; which lands, thus indicated by odd numbers and selected by direction of the Secretary of the Interior as aforesaid, shall be held by the State of Kansas for the use and purpose aforesaid: *Provided*, That the land to be so selected shall, in no case, be located further than twenty miles from the lines of said road and branches: *Provided, further*, That the lands hereby granted for and on account of said roads and branches severally, shall be exclusively applied in the construction of the same, and for no other purpose whatever, and shall be disposed of only as the work progresses through the same, as in this act hereinafter provided: *Provided, also*, That no part of the

land granted by this act shall be applied to aid in the construction of any railroad or part thereof, for the construction of which any previous grant of land or bonds may have been made by Congress: *And provided, further,* That any and all lands heretofore reserved to the United States, by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purpose whatsoever, be, and the same are hereby, reserved to the United States from the operations of this act, except so far as it may be found necessary to locate the routes of said road and branches through such reserved lands; in which case the right of way only shall be granted, subject to the approval of the President of the United States.

To what roads only this land to be applied.

Certain lands not within this act.

SEC. 2. *And be it further enacted,* That the sections and parts of sections of land which, by such grant, shall remain to the United States, within ten miles on each side of said road and branches, shall not be sold for less than double the minimum price of the public lands when sold; nor shall any of said lands become subject to sale at private entry until the same shall have been first offered at public sale to the highest bidder, at or above the increased minimum price, as aforesaid: *Provided,* That actual and bona fide settlers, under the provisions of the preëmption and homestead laws of the United States, may, after due proof of settlement, improvement, cultivation, and occupation, as now provided by law, purchase the same, at the increased minimum price aforesaid: *And provided, also,* That settlers on any of said reserved sections, under the provisions of the homestead law, who improve, occupy, and cultivate the same for a period of five years, and comply with the several conditions and requirements of said act, shall be entitled to patents for an amount not exceeding eighty acres each, anything in this act to the contrary notwithstanding.

Sections remaining to the United States not to be sold for less than double the minimum price,

not to be subject to private entry, until offered at public sale to highest bidder.

Settlers on reserved sections.

SEC. 3. *And be it further enacted,* That the said lands hereby granted to said State shall be subject to the disposal of the legislature thereof, for the purposes aforesaid, and no other; and the said railroads and branches shall be and remain public highways, for the use of the Government of the United States, free from all toll or other charge upon the transportation of any property or troops of the United States.

Lands granted only for what purposes.

Roads, &c., to be public highways, &c.

SEC. 4. *And be it further enacted,* That the lands hereby granted to said State shall be disposed of by said State only in manner following, that is to say: when the governor of said State shall certify to the Secretary of the Interior that any twenty consecutive miles of either of said roads or branches is completed in a good, substantial, and workmanlike manner, as a first-class railroad, and the said Secretary shall be satisfied that said State has complied in good faith with this requirement, the said State may cause to be sold all the lands granted as aforesaid situated opposite to and within a limit of ten miles of the line of said section of road thus completed, extending along the whole length of said completed section of twenty miles of road, and no further. And when the governor of said State shall certify to the Secretary of the Interior, and the Secretary shall be satisfied, that another section of said roads or branches, twenty consecutive miles in extent, connecting with the preceding section, is completed as aforesaid, the said State may cause to be sold all the lands granted and situated opposite to and within the limit of ten miles of the line of said completed section of road, and extending the length of said section, and so, from time to time, until said roads and branches are completed. And when the governor of said State shall so certify, and the Secretary of the Interior shall be satisfied, that the whole of said roads and branches and telegraph are completed in a good, substantial, and workmanlike manner, as first-class railroads and telegraph, the said State may cause to be sold all the remaining lands granted and selected for the purposes indicated in this act situated within the said limits of twenty miles from the line thereof throughout the entire length of said road and branches: *Provided,* That if any part of said roads and branches is not

How lands may be disposed of.

Upon completion of any twenty consecutive miles of a road or branch, &c.

Upon completion of second section of twenty miles, &c.

Upon completion of whole road, &c.

Roads to be completed within ten years.

Mail to be transported over road, &c.

completed within ten years from the passage of this act, no further sale shall be made, and the lands unsold shall revert to the United States.

SEC. 5. *And be it further enacted*, That the United States mail shall be transported over said roads and branches, under the direction of the Post-Office Department, at such price as Congress may by law direct: *Provided*, That until such price is fixed by law the Postmaster-General shall have the power to determine the same.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. XCIX. — *An Act making Appropriations for the current and contingent Expenses of the Indian Department, and for fulfilling Treaty Stipulations with various Indian Tribes, for the Year ending June thirtieth, eighteen hundred and sixty-four.*

Indian appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and they are hereby, appropriated, out of any money in the treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the Indian Department and fulfilling treaty stipulations with the various Indian tribes —

For the current and contingent expenses of the Indian Department, namely :

Pay of superintendents.
1850, ch. 16.
1851, ch. 14.
1854, ch. 167.
1855, ch. 204.
1856, ch. 128.
1857, ch. 90.
1860, ch. 157.
1860, ch. 213.
1861, ch. 30.
Vol. xi. p. 747.

For the pay of superintendents of Indian affairs and of the several Indian agents, per acts of fifth June, eighteen hundred and fifty, twenty-seventh February, eighteen hundred and fifty-one, thirty-first July, eighteen hundred and fifty-four, third March, eighteen hundred and fifty-five, eighteenth August, eighteen hundred and fifty-six, third March, eighteen hundred and fifty-seven, nineteenth June, eighteen hundred and sixty, twenty-fifth June, eighteen hundred and sixty, eighth and thirteenth February, eighteen hundred and sixty-one, and per fifteenth article of treaty of nineteenth April, eighteen hundred and fifty-eight, with the Yanctons, ninety-three thousand seven hundred and fifty dollars.

Sub-agents.
1854, ch. 167.
Clerk at St. Louis.
1846, ch. 34.
Vol. ix. p. 21.

For the pay of the several Indian sub-agents, per act of thirty-first July, eighteen hundred and fifty-four, six thousand dollars.

For the pay of clerk to superintendent at Saint Louis, Missouri, per act of twenty-seventh June, eighteen hundred and forty-six, one thousand two hundred dollars.

Supervisors in California.

For pay of supervisor[s] for reservation in California, nine thousand dollars.

Interpreters.
1834, ch. 162.
1851, ch. 14.
1856, ch. 128.

For the pay of interpreters, per acts of thirtieth June, eighteen hundred and thirty-four, twenty-seventh February, eighteen hundred and fifty-one, eighteenth August, eighteen hundred and fifty-six, and seventeenth July, eighteen hundred and sixty-two, twenty-six thousand nine hundred dollars.

Laborers in California.

For pay of twenty laborers for reservations in California, twelve thousand dollars.

Presents.
Provisions.
Buildings and repairs.
Contingencies.

For presents to Indians, five thousand dollars.

For provisions for Indians, eleven thousand eight hundred dollars.

For buildings at agencies and repairs thereof, ten thousand dollars.

For contingencies of the Indian Department, thirty-six thousand five hundred dollars.

Temporary clerks.

For the employment of temporary clerks by superintendents of Indian affairs, on such occasions and for such periods of time as the Secretary of the Interior may deem necessary to the public service, five thousand dollars.

Treaty stipulations.
Blackfoot Indians.

For fulfilling treaty stipulations with the various Indian tribes :

Blackfoot Indians. — For eighth of ten instalments as annuity, to be expended in the purchase of such goods, provisions, and other useful articles as the President, at his discretion, may from time to time determine, per ninth article of the treaty of seventeenth October, eighteen hundred and fifty-five, twenty thousand dollars.

Vol. xi. p. 657.

For eighth of ten instalments as annuity, to be expended in establishing and instructing them in agricultural and mechanical pursuits, and in educating their children, and promoting civilization and Christianity, at the discretion of the President, per tenth article of the treaty of seventeenth October, eighteen hundred and fifty-five, fifteen thousand dollars.

Blackfoot Indians.

Chasta, Scoton, and Umpqua Indians.—For ninth of fifteen instalments of annuity, to be expended as directed by the President, per third article treaty eighteenth November, eighteen hundred and fifty-four, two thousand dollars.

Chasta, Scoton, and Umpqua Indians.

Vol. x. p. 1122.

For ninth of fifteen instalments for the pay of a farmer, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand dollars.

For ninth of ten instalments for pay of physician, medicines, and expense of care of the sick, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand five hundred dollars.

For ninth of fifteen instalments for pay of teachers and purchase of books and stationery, per fifth article treaty eighteenth November, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of Lake Superior.—For two thirds of twenty-second of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight thousand three hundred and thirty-three dollars and thirty-three cents.

Chippewas of Lake Superior.

Vol. vii. p. 592.

Vol. x. p. 1109

For two thirds of twenty-second of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, eight hundred dollars.

For two thirds of twenty-second of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, seven thousand dollars.

For two thirds of twenty-second of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For two thirds of twenty-second of twenty-five instalments for the pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For two thirds of twenty-second of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and thirty-three dollars and thirty-three cents.

For ninth of twenty instalments in *corn*, [coin,] goods, household furniture, and cooking utensils, agricultural implements and cattle, carpenters' and other tools and building materials, and for moral and educational purposes, per fourth article treaty thirtieth September, eighteen hundred and fifty-four, nineteen thousand dollars.

For ninth of twenty instalments for six smiths and assistants, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, five thousand and forty dollars.

For ninth of twenty instalments for the support of six smiths' shops, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand three hundred and twenty dollars.

For seventh of twenty instalments for the seventh smith and assistant,

Chippewas of
Lake Superior.

and support of shop, per second and fifth articles treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of a smith, assistant, and shop for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand and sixty dollars.

For support of two farmers for the Bois Forte band, during the pleasure of the President, per twelfth article treaty thirtieth September, eighteen hundred and fifty-four, one thousand two hundred dollars.

Chippewas of
the Mississippi.

Vol. vii. p. 592.

Vol. x. p. 1109.

Chippewas of the Mississippi.—For one third of twenty-second of twenty-five instalments in money, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four thousand one hundred and sixty-six dollars and sixty-seven cents.

For one third of twenty-second of twenty-five instalments for the pay of two carpenters, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, four hundred dollars.

For one third of twenty-second of twenty-five instalments in goods, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three thousand five hundred dollars.

For one third of twenty-second of twenty-five instalments for the support of schools, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of twenty-second of twenty-five instalments for the purchase of provisions and tobacco, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of twenty-second of twenty-five instalments for the support of two smiths' shops, including the pay of two smiths and assistants, and furnishing iron and steel, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, six hundred and sixty-six dollars and sixty-seven cents.

For one third of twenty-second of twenty-five instalments for pay of two farmers, per fourth article treaty fourth October, eighteen hundred and forty-two, and eighth article treaty thirtieth September, eighteen hundred and fifty-four, three hundred and thirty-three dollars and thirty-three cents.

Vol. x. p. 1165.

For ninth of twenty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, twenty thousand dollars.

Chippewas,
Pillager, and
Lake Winnibagoshish
Indians.

Vol. x. p. 1165.

Chippewas, Pillager, and Lake Winnibagoshish Bands.—For ninth of thirty instalments of annuity in money, per third article treaty twenty-second February, eighteen hundred and fifty-five, ten thousand six hundred and sixty-six dollars and sixty-six cents.

For ninth of thirty instalments of annuity in goods, per third article treaty twenty-second February, eighteen hundred and fifty-five, eight thousand dollars.

For ninth of thirty instalments for purposes of utility, per third article treaty twenty-second February, eighteen hundred and fifty-five, four thousand dollars.

For ninth of twenty instalments for purposes of education, per third article treaty twenty-second February, eighteen hundred and fifty-five, three thousand dollars.

For ninth of fifteen annual instalments for support of two smiths and smiths' shops, per third article treaty twenty-second February, eighteen hundred and fifty-five, two thousand one hundred and twenty dollars.

For pay of an engineer to grist and saw-mill at Leech Lake, six hundred dollars.

Chippewas of Saginaw, Swan Creek, and Black River. — For eighth of ten equal annual instalments in coin, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of second August, eighteen hundred and fifty-five, ten thousand dollars.

Chippewas of Saginaw, Swan Creek, and Black River.

Vol. xi. p. 634.

For eighth of ten instalments for the support of one blacksmith shop, per second article of the treaty of second August, eighteen hundred and fifty-five, twelve hundred and forty dollars.

For first and second of five equal annual instalments, each of the second series, of two thousand dollars, for educational purposes, to be expended under the direction of the President, four thousand dollars.

For first and second of five equal annual instalments of the second series, of three thousand dollars each, in agricultural implements, and carpenters' tools, household furniture and building material, cattle, labor, and miscellaneous items, six thousand dollars.

For third of five equal annual instalments for educational purposes, under the direction of the President, two thousand dollars.

For third of five equal annual instalments in agricultural implements, three thousand dollars.

Chippewas, Menomonees, Winnebagoes, and New York Indians. — For education during the pleasure of Congress, per fifth article treaty eleventh August, eighteen hundred and twenty-seven, one thousand five hundred dollars.

Chippewas, Menomonees, Winnebagoes, and New York Indians.

Vol. vii. p. 304.

Chickasaws. — For permanent annuity in goods, per act of twenty-fifth February, seventeen hundred and ninety-nine, three thousand dollars.

Chickasaws.

1799, ch. 11.

Vol. i. p. 618.

Choctaws. — For permanent annuity, per second article treaty sixteenth November, eighteen hundred and five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, three thousand dollars.

Choctaws.

Vol. vii. p. 99.

Vol. xi. p. 614.

For permanent annuity for support of light-horsemen, per thirteenth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

Vol. vii. p. 213.

For permanent provision for education, per second article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six thousand dollars.

Vol. vii. p. 235.

For permanent provision for blacksmith, per sixth article treaty eighteenth October, eighteen hundred and twenty, and thirteenth article treaty twenty-second June, eighteen hundred and fifty-five, six hundred dollars.

For permanent provision for iron and steel, per ninth article treaty twentieth January, eighteen hundred and twenty-five, and thirteenth article of treaty twenty-second June, eighteen hundred and fifty-five, three hundred and twenty dollars.

For interest on five hundred thousand dollars, at five per centum per annum, for education, support of the government, and other beneficial purposes, to be applied under the direction of the general council of the Choctaws, in conformity with the provisions contained in the tenth and thirteenth articles of the treaty of twenty-second June, eighteen hundred and fifty-five, twenty-five thousand dollars.

Comanches, Kiowas, and Apaches of Arkansas River. — For the last of ten instalments for the purchase of goods, provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, eighteen thousand dollars.

Comanches, Kiowas, and Apaches of Arkansas River.

Vol. x. p. 1014.

For expenses of transportation of the last of ten instalments of goods,

provisions, and agricultural implements, per sixth article treaty twenty-seventh July, eighteen hundred and fifty-three, seven thousand dollars.

Creeks. — For permanent annuity in money, per fourth article treaty seventh August, seventeen hundred and ninety, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand five hundred dollars.

For permanent annuity in money, per second article treaty sixteenth June, eighteen hundred and two, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For permanent annuity in money, per fourth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, twenty thousand dollars.

For permanent provisions for blacksmith and assistant, and for shop and tools, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

For permanent provision for iron and steel for shop, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For permanent provision for the pay of a wheelwright, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For blacksmith and assistant and shop and tools during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, eight hundred and forty dollars.

For iron and steel for shop during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, two hundred and seventy dollars.

For wagon-maker during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, six hundred dollars.

For assistance in agricultural operations during the pleasure of the President, per eighth article treaty twenty-fourth January, eighteen hundred and twenty-six, and fifth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For education during the pleasure of the President, per fifth article treaty fourteenth February, eighteen hundred and thirty-three, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand dollars.

For the last of seven additional instalments for two blacksmiths, assistants, shops, and tools, per thirteenth article treaty twenty-fourth March, eighteen hundred and thirty-two, and fifth article treaty seventh August, eighteen hundred and fifty-six, one thousand six hundred and eighty dollars.

For the last of seven additional instalments for iron and steel for shops, per thirteenth article treaty twenty-fourth March, eighteen hundred and thirty-two, and fifth article treaty seventh August, eighteen hundred and fifty-six, five hundred and forty dollars.

For the last of thirty-three instalments for education, per fourth article treaty fourth January, eighteen hundred and forty-five, and fifth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For the last of twenty instalments for education, per fourth article treaty fourth January, eighteen hundred and forty-five, and fifth article

treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

For five per centum interest on two hundred thousand dollars for purposes of education, per sixth article treaty seventh August, eighteen hundred and fifty-six, ten thousand dollars.

Delawares. — For life annuity to chief, per private article to supplemental treaty twenty-fourth September, eighteen hundred and twenty-nine, to treaty of third October, eighteen hundred and eighteen, one hundred dollars.

Delawares.
Vol. vii. p. 327.
Vol. vii. p. 188.

For interest on forty-six thousand and eighty dollars, at five per centum, being the value of thirty-six sections of land set apart by treaty of eighteen hundred and twenty-nine for education, per resolution of the Senate nineteenth January, eighteen hundred and thirty-eight, and fifth article treaty sixth May, eighteen hundred and fifty-four, two thousand three hundred and four dollars.

Vol. vii. p. 327.
Vol. x. p. 1049.

Iowas. — For interest in lieu of investment on fifty-seven thousand five hundred dollars, balance of one hundred and fifty-seven thousand five hundred dollars, to the first July, eighteen hundred and sixty-four, at five per centum, for education or other beneficial purposes, under the direction of the President, per second article treaty nineteenth October, eighteen hundred and thirty-eight, and ninth article treaty seventeenth May, eighteen hundred and fifty-four, two thousand eight hundred and seventy-five dollars.

Iowas.

Vol. vii. p. 568.
Vol. x. p. 1071.

Kansas. — For interest in lieu of investment on two hundred thousand dollars, at five per centum, per second article treaty fourteenth January, eighteen hundred and forty-six, ten thousand dollars.

Kansas.
Vol. ix. p. 842.

Kickapoos. — For tenth instalment of interest, at five per centum, on one hundred thousand dollars for educational and other beneficial purposes, per second article treaty eighteenth May, eighteen hundred and fifty-four, five thousand dollars.

Kickapoos.
Vol. x. p. 1073.

For tenth instalment on two hundred thousand dollars, to be paid in eighteen hundred and sixty-three, per second article treaty eighteenth May, eighteen hundred and fifty-four, nine thousand dollars.

Menomonees. — For eighth of twelve instalments for continuing and keeping up a blacksmith shop, and providing the usual quantity of iron and steel, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, nine hundred and sixteen dollars and sixty-six cents.

Menomonees.

Vol. ix. p. 952.
Vol. x. p. 1065.

For eighth of ten instalments of annuity upon two hundred thousand dollars, balance of three hundred and fifty thousand dollars for cession of lands, per fourth article treaty eighteenth October, eighteen hundred and forty-eight, and third article treaty twelfth May, eighteen hundred and fifty-four, twenty thousand dollars.

For eighth of fifteen instalments for pay of miller, per third article treaty twelfth May, eighteen hundred and fifty-four, six hundred dollars.

Miamies of Kansas. — For permanent provision for blacksmith and assistant, and iron and steel for shop, per fifth article treaty sixth October, eighteen hundred and eighteen, and fourth article treaty fifth June, eighteen hundred and fifty-four, nine hundred and forty dollars.

Miamies of
Kansas.
Vol. vii. p. 191.
Vol. x. p. 1095.

For permanent provision for miller, in lieu of gunsmith, per fifth article treaty sixth October, eighteen hundred and eighteen, fifth article treaty twenty-third October, eighteen hundred and thirty-four, and fourth article treaty fifth June, eighteen hundred and fifty-four, six hundred dollars.

Vol. vii. p. 459.

For interest on fifty thousand dollars, at five per centum, for educational purposes, per third article treaty fifth June, eighteen hundred and fifty-four, two thousand five hundred dollars.

For fourth of twenty instalments upon two hundred thousand dollars, per third article treaty fifth June, eighteen hundred and fifty-four, seven thousand five hundred dollars.

For reappropriation of the sum of sixteen thousand two hundred and sixty-eight dollars and eighty-four cents, being their proportion of the sum of thirty-six thousand and eighty dollars and ten cents, part of the permanent annuity of twenty-five thousand dollars, payable for the years eighteen hundred and fifty-four and eighteen hundred and fifty-five, as per fifth article of treaty of fifth June, eighteen hundred and fifty-four, carried to surplus fund thirtieth June, eighteen hundred and fifty-five.

Miamies of
Indiana.

Vol. vii. p. 582.

Vol. x. p. 1095.

Miamies of Indiana. — For interest on two hundred and twenty-one thousand two hundred and fifty-seven dollars and eighty-six cents, uninvested, at five per centum, for Miami Indians of Indiana, per Senate's amendment to fourth article treaty fifth June, eighteen hundred and fifty-four, eleven thousand and sixty-two dollars and eighty-nine cents.

For reappropriation of the sum of nineteen thousand eight hundred and eleven dollars and twenty-six cents, being their proportion of the sum of thirty-six thousand and eighty dollars and ten cents, part of the permanent annuity of twenty-five thousand dollars payable for the years eighteen hundred and fifty-four and eighteen hundred and fifty-five, as per fifth article of treaty of fifth June, eighteen hundred and fifty-four, carried to the surplus fund thirtieth June, eighteen hundred and fifty-five.

Miamies, Eel
River.

Vol. vii. p. 51.

Miamies, Eel River. — For permanent annuity in goods or otherwise, per fourth article treaty third August, seventeen hundred and ninety-five, five hundred dollars.

Vol. vii. p. 91.

For permanent annuity in goods or otherwise, per third article treaty twenty-first August, eighteen hundred and five, two hundred and fifty dollars.

Vol. vii. p. 114.

For permanent annuity in goods or otherwise, per third and separate article to treaty thirtieth September, eighteen hundred and nine, three hundred and fifty dollars.

Nisqually,
Puyallup, and
other tribes and
bands of Indians.

Vol. x. p. 1134.

Nisqually, Puyallup, and other Tribes and Bands of Indians. — For ninth instalment, in part payment for relinquishment of title to lands, to be applied to beneficial objects, per fourth article treaty twenty-sixth December, eighteen hundred and fifty-four, fifteen hundred dollars.

For ninth of twenty instalments for pay of instructor, smith, physician, carpenter, farmer, and assistant if necessary, per tenth article treaty twenty-sixth December, eighteen hundred and fifty-four, six thousand seven hundred dollars.

Omahas.

Vol. x. p. 1044.

Omahas. — For the sixth of ten instalments of this amount, being second of the series, in money or otherwise, per fourth article treaty sixteenth March, eighteen hundred and fifty-four, thirty thousand dollars.

For ninth of ten instalments for support of a miller, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For ninth of ten instalments for support of blacksmith and assistant, and iron and steel for shop, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For ninth of ten instalments for support of farmer, per eighth article treaty sixteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill provided for by the eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smith's shop with tools, and keeping the same in repair, per eighth article of the treaty of sixteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two hundred dollars.

Osages.

Osages. — For interest on sixty-nine thousand one hundred and twenty dollars, at five per centum, being the value of fifty-four sections of land

set apart second June, eighteen hundred and twenty-five, for educational purposes, per Senate resolution nineteenth January, eighteen hundred and thirty-eight, three thousand four hundred and fifty-six dollars.

Ottos and Missourias. — For sixth of ten instalments, being the second series, in money or otherwise, per fourth article treaty fifteenth March, eighteen hundred and fifty-four, thirteen thousand dollars.

Ottos and
Missourias.
Vol. x. p. 1039.

For ninth of ten instalments for pay of miller, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For ninth of ten instalments for blacksmith and assistant, and iron and steel for shop, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, nine hundred and forty dollars.

For ninth of ten instalments for farmer, per seventh article treaty fifteenth March, eighteen hundred and fifty-four, six hundred dollars.

For keeping in repair the grist and saw mill provided for by the seventh article of the treaty of fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For supplying the smith's shop with tools, and keeping the same in repair, per seventh article of the treaty fifteenth March, eighteen hundred and fifty-four, three hundred dollars.

For an engineer, one thousand two hundred dollars.

Ottawas and Chippewas of Michigan. — For eighth of ten equal annual instalments for educational purposes, to be expended under the direction of the President, according to the wishes of the Indians, so far as may be reasonable and just, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, eight thousand dollars.

Ottawas and
Chippewas of
Michigan.
Vol. xi. p. 623.

For eighth of ten instalments for the support of four blacksmith shops, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, four thousand two hundred and forty dollars.

For eighth of ten instalments of principal, payable annually for ten years, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, ten thousand dollars.

For interest on two hundred and twenty-six thousand dollars, unpaid part of the principal sum of three hundred and six thousand dollars, for one year, at five per centum per annum, to be distributed per capita, in the usual manner of paying annuities, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, eleven thousand three hundred dollars.

For eighth of ten equal annual instalments on thirty-five thousand dollars, in lieu of former treaty stipulations, to be paid per capita to the Grand River Ottawas, per second article of the treaty of thirty-first July, eighteen hundred and fifty-five, three thousand five hundred dollars.

Ottawas of Kansas. — For their proportion of the permanent annuities in money, goods, or otherwise, payable under the fourth article of the treaty of third August, seventeen hundred and ninety-five, second article of the treaty of seventeenth November, eighteen hundred and seven, fourth article of the treaty of seventeenth September, eighteen hundred and eighteen, and fourth article of the treaty of twenty-ninth August, eighteen hundred and twenty-one, two thousand six hundred dollars.

Ottawas of
Kansas.
Vol. vii. p. 51.
Vol. vii. p. 105.
Vol. vii. p. 179.
Vol. vii. p. 220.

Pawnees. — For first of five instalments of the second series in goods and such articles as may be necessary for them, per second article treaty twenty-fourth September, eighteen hundred and fifty-seven, thirty thousand dollars.

Pawnees.
Vol. xi. p. 729.

For support of two manual labor schools annually, during the pleasure of the President, per third article treaty twenty-fourth September, eighteen hundred and fifty-seven, ten thousand dollars.

For pay of two teachers, under the direction of the President, per

Pawnees.

third article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For purchase of iron and steel, and other necessaries for the shop, during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

For pay of two blacksmiths, one of whom to be a gunsmith and tin-smith, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation of two strikers or apprentices in shop, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, four hundred and eighty dollars.

For sixth of ten instalments for farming utensils and stock during the pleasure of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For pay of farmer, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For fifth of ten instalments for pay of miller, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, six hundred dollars.

For fifth of ten instalments for pay of an engineer, at the discretion of the President, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, one thousand two hundred dollars.

For compensation to apprentices, to assist in working the mill, per fourth article treaty twenty-fourth September, eighteen hundred and fifty-seven, five hundred dollars.

Pottawatomies.

Vol. vii. p. 51. *Pottawatomies.* — For permanent annuity in silver, per fourth article treaty third August, seventeen hundred and ninety-five, one thousand dollars.

Vol. vii. p. 114. For permanent annuity in silver, per third article treaty thirtieth September, eighteen hundred and nine, five hundred dollars.

Vol. vii. p. 185. For permanent annuity in silver, per third article treaty second October, eighteen hundred and eighteen, two thousand five hundred dollars.

Vol. vii. p. 317. For permanent annuity in money, per second article treaty twentieth September, eighteen hundred and twenty-eight, two thousand dollars.

Vol. vii. p. 320. For permanent annuity in specie, per second article treaty twenty-ninth July, eighteen hundred and twenty-nine, sixteen thousand dollars.

Vol. vii. p. 379. For life annuity to chief, per third article treaty twentieth October, eighteen hundred and thirty-two, two hundred dollars.

Vol. vii. p. 432. For life annuity to chiefs, per third article treaty twenty-sixth September, eighteen hundred and thirty-three, seven hundred dollars.

Vol. vii. p. 296. For education during the pleasure of Congress, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty

Vol. vii. p. 317. twentieth September, eighteen hundred and twenty-eight, and fourth article

Vol. vii. p. 401. treaty twenty-seventh October, eighteen hundred and thirty-two, five thousand dollars.

Vol. ix. p. 855. For permanent provision for the payment of money in lieu of tobacco, iron, and steel, per second article treaty twentieth September, eighteen hundred and twenty-eight, and tenth article of the treaty of the fifth and seventeenth June, eighteen hundred and forty-six, three hundred dollars.

For permanent provision for three blacksmiths and assistants, per third article treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, two thousand one hundred and sixty dollars.

For permanent provision for iron and steel for shops, per third article

treaty sixteenth October, eighteen hundred and twenty-six, second article treaty twentieth September, eighteen hundred and twenty-eight, and second article treaty twenty-ninth July, eighteen hundred and twenty-nine, six hundred and six dollars.

For permanent provision for fifty barrels of salt, per second article of treaty twenty-ninth July, eighteen hundred and twenty-nine, two hundred and fifty dollars.

For interest on six hundred and forty-three thousand dollars, at five per centum, per seventh article of the treaty of the fifth and seventeenth of June, eighteen hundred and forty-six, thirty-two thousand one hundred and fifty dollars.

Pottawatomes of Huron. — For permanent annuity in money or otherwise, per second article treaty seventeenth November, eighteen hundred and seven, four hundred dollars.

Pottawatomes
of Huron.
Vol. vii. p. 105.

Quapaws. — For education during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand dollars.

Quapaws.
Vol. vii. p. 425.

For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, one thousand and sixty dollars.

For farmer during the pleasure of the President, per third article treaty thirteenth May, eighteen hundred and thirty-three, six hundred dollars.

Rogue Rivers. — For tenth of sixteenth instalments in blankets, clothing, farming utensils, and stock, per third article treaty tenth September, eighteen hundred and fifty-three, two thousand five hundred dollars.

Rogue Rivers.
Vol. x. p. 1018.

Sacs and Foxes of Mississippi. — For permanent annuity in goods or otherwise, per third article treaty third November, eighteen hundred and four, one thousand dollars.

Sacs and Foxes
of Mississippi.
Vol. vii. p. 85.

For interest on two hundred thousand dollars, at five per centum, per second article treaty twenty-first October, eighteen hundred and thirty-seven, ten thousand dollars.

Vol. vii. p. 540.

For interest on eight hundred thousand dollars, at five per centum, per second article treaty eleventh October, eighteen hundred and forty-two, forty thousand dollars.

Vol. vii. p. 596.

Sacs and Foxes of Missouri. — For interest on one hundred and fifty-seven thousand four hundred dollars, at five per centum, under the direction of the President, per second article treaty twenty-first October, eighteen hundred and thirty-seven, seven thousand eight hundred and seventy dollars.

Sacs and Foxes
of Missouri.
Vol. vii. p. 540.

Seminoles. — For the seventh of ten instalments for the support of schools, per eighth article treaty seventh August, eighteen hundred and fifty-six, three thousand dollars.

Seminoles.
Vol. xi. p. 702.

For the seventh of ten instalments for agricultural assistance, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand dollars.

For the seventh of ten instalments for the support of smiths and smiths' shops, per eighth article treaty seventh August, eighteen hundred and fifty-six, two thousand two hundred dollars.

For five per centum interest on two hundred and fifty thousand dollars, to be paid as annuity, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

For interest on two hundred and fifty thousand dollars, at five per centum, to be paid as annuity, they having joined their brethren west, per eighth article treaty seventh August, eighteen hundred and fifty-six, twelve thousand five hundred dollars.

Senecas. — For permanent annuity in specie, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, five hundred dollars.

Senecas.
Vol. vii. p. 161.

- For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, five hundred dollars.
- Vol. vii. p. 178. For blacksmith and assistant, shop and tools, and iron and steel, during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, one thousand and sixty dollars.
- Vol. vii. p. 349. For miller during the pleasure of the President, per fourth article treaty twenty-eighth February, eighteen hundred and thirty-one, six hundred dollars.
- Senecas of New York. 1831, ch. 26. Vol. iv. p. 442. *Senecas of New York.* — For permanent annuity, in lieu of interest on stock, per act of nineteenth February, eighteen hundred and thirty-one, six thousand dollars.
- 1846, ch. 34. Vol. ix. p. 35. For interest, in lieu of investment, on seventy-five thousand dollars, at five per centum, per act of twenty-seventh June, eighteen hundred and forty-six, three thousand seven hundred and fifty dollars.
- For interest, at five per centum, on forty-three thousand and fifty dollars, transferred from Ontario Bank to the United States treasury, per act of twenty-seventh June, eighteen hundred and forty-six, two thousand one hundred and fifty-two dollars and fifty cents.
- Senecas and Shawnees. Vol. vii. p. 179. *Senecas and Shawnees.* — For permanent annuity in specie, per fourth article treaty seventeenth September, eighteen hundred and eighteen, one thousand dollars.
- Vol. vii. p. 352. For blacksmith and assistant, shop and tools, and iron and steel for shop, during the pleasure of the President, per fourth article treaty twentieth July, eighteen hundred and thirty-one, one thousand and sixty dollars.
- Shawnees. Vol. vii. p. 51. Vol. x. p. 1056. *Shawnees.* — For permanent annuity for educational purposes, per fourth article treaty third August, seventeen hundred and ninety-five, and third article treaty tenth May, eighteen hundred and fifty-four, one thousand dollars.
- Vol. vii. p. 160. For tenth instalment of interest, at five per centum, on forty thousand dollars for education, per third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.
- Vol. vii. p. 160. For permanent annuity for educational purposes, per fourth article treaty twenty-ninth September, eighteen hundred and seventeen, and third article treaty tenth May, eighteen hundred and fifty-four, two thousand dollars.
- Six Nations of New York. Vol. vii. p. 46. *Six Nations of New York.* — For permanent annuity in clothing and other useful articles, per sixth article treaty eleventh November, seventeen hundred and ninety-four, four thousand five hundred dollars.
- Sioux of Mississippi. Appropriation for their removal, &c., and maintenance in their new homes. No part to be paid in money. Treaty of Fort Laramie. Vol. xi. p. 749. *Sioux of Mississippi.* — To enable the President of the United States to cause the Sioux of the Mississippi to be removed beyond the limits of any states, and for establishing them in their new homes, fifty thousand and sixteen dollars and sixty-six cents, the same being (in amount) equal to one third of the whole sum heretofore stipulated to be paid in the several treaties heretofore existing between the said Indians and the United States, but which treaties have been abrogated in consequence of the war by said Indians and the people of the United States.
- For the purpose of maintaining the said Indians in their new homes, and subsisting them and making such provisions as will enable them to support themselves by agricultural pursuits, the President is authorized to use and expend one third of the unexpended balance now remaining in the treasury, which has heretofore been appropriated for the benefit of the said Indians, in such manner as he shall deem expedient and best calculated to promote the interests of the said Indians: *Provided*, That no part of said sum shall be paid to the said Indians in money.
- Treaty of Fort Laramie.* — For third of five instalments, at the discretion of the President, in provisions and merchandise, for payment of annuities, and transportation of the same, to certain tribes of Indians, seventy thousand dollars.

Umpquas (Cow Creek Band). — For tenth of twenty instalments in blankets, clothing, provisions and stock, per third article treaty nineteenth September, eighteen hundred and fifty-three, five hundred and fifty dollars. *Umpquas, (Cow Creek Band.)*
Vol. x. p. 1027.

Umpquas and Calapooias, of Umpqua Valley, Oregon. — For fourth of five instalments, of the second series, of annuity for beneficial objects, to be expended as directed by the President, per third article treaty twenty-ninth November, eighteen hundred and fifty-four, two thousand three hundred dollars. *Umpquas and Calapooias, of Umpqua Valley, Oregon.*
Vol. x. p. 1127.

For ninth of ten instalments for the pay of a blacksmith, and furnishing shop, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand five hundred dollars.

For ninth of fifteen instalments for the pay of a physician and purchase of medicines, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, two thousand dollars.

For ninth of ten instalments for the pay of a farmer, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand dollars.

For ninth of twenty instalments for the pay of a teacher and purchase of books and stationery, per sixth article treaty twenty-ninth November, eighteen hundred and fifty-four, one thousand four hundred and fifty dollars.

Winnebagoes. — For interest on one million one hundred thousand dollars, at five per centum, per fourth article treaty first November, eighteen hundred and thirty-seven, fifty-five thousand dollars. *Winnebagoes.*
Vol. vii. p. 545.

For seventeenth of thirty instalments of interest on eighty-five thousand dollars, at five per centum, per fourth article treaty thirteenth October, eighteen hundred and forty-six, four thousand two hundred and fifty dollars. And the sum of fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any money not otherwise appropriated, to enable the President of the United States to arrange for and effect the peaceful and quiet removal of said Indians to some suitable location outside the limits of any state, the said sum to be taken from and charged to the said fund of one million one hundred thousand dollars held by the United States for said Indians under the aforesaid treaty of first November, one thousand eight hundred and thirty-seven, and that the amount so appropriated shall be replaced from the proceeds of the sales of the lands belonging to said Indians, which the Government may be authorized to sell by virtue of an existing treaty with said Indians, and by act of Congress. *Removal.*
Vol. ix. p. 873.

Yancton Tribe of Sioux. — For fifth of ten instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle and reside upon their reservation, per fourth article treaty nineteenth April, eighteen hundred and fifty-eight, sixty-five thousand dollars. *Yancton tribe of Sioux.*
Vol. xi. p. 744.

Calapooias, Molalla, and Clackamas Indians, of Willamette Valley. — For fourth of five instalments of annuity for beneficial objects, per second article treaty twenty-second January, eighteen hundred and fifty-five, eight thousand dollars. *Calapooias, Molalla, and Clackamas Indians, of Willamette Valley.*

Poncas. — For the last of five instalments to be paid to them or expended for their benefit, commencing with the year in which they shall remove to and settle upon the tract reserved for their future homes, per second article treaty twelfth March, eighteen hundred and fifty-eight, twelve thousand dollars. *Poncas.*
Vol. x. p. 1144.
Post, p. 997.

For fifth of ten instalments for the establishment and maintenance of one or more manual labor schools, under the direction of the President, per second article treaty twelfth March, eighteen hundred and fifty-eight, five thousand dollars.

For fifth of ten instalments, or during the pleasure of the President, to
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Poncas.

be expended in furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of the mill provided for in the first part of this article, as the Secretary of the Interior may consider advantageous and necessary for them, per second article treaty twelfth March, eighteen hundred and fifty-eight, seven thousand five hundred dollars.

Dwamish and other allied tribes in Washington Territory.

Post, p. 927.

Dwamish and other Allied Tribes in Washington Territory. — For fourth instalment on one hundred and fifty thousand dollars, under the direction of the President, per sixth article treaty twenty-second January, eighteen hundred and fifty-five, twelve thousand dollars.

For fourth of twenty instalments for the establishment and support of an agricultural and industrial school, and to provide said school with a suitable instructor or instructors, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, three thousand dollars.

For fourth of twenty instalments for the establishment and support of a smith and carpenter's shop, and to furnish them with the necessary tools, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per fourteenth article treaty twenty-second January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Makah Tribe.
Post, p. 940.

Makah Tribe. — For first of three instalments on thirty thousand dollars, under the direction of the President, per fifth article treaty thirty-first January, eighteen hundred and fifty-five, two thousand dollars.

For fourth of twenty instalments for the support of an agricultural and industrial school, and for pay of teachers, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For fourth of twenty instalments for support of a smith and carpenter's shop, and to provide the necessary tools therefor, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for the employment of a blacksmith, carpenter, farmer, and physician who shall furnish medicines for the sick, per eleventh article treaty thirty-first January, eighteen hundred and fifty-five, four thousand six hundred dollars.

Walla-Walla, Cayuse, and Umatilla Tribes.
Post, p. 947.

Walla-Walla, Cayuse, and Umatilla Tribes. — For fourth of five instalments of eight thousand dollars, under the direction of the President, per second article treaty ninth June, eighteen hundred and fifty-five, eight thousand dollars.

For fourth of twenty instalments for the purchase of all necessary mill fixtures and mechanical tools, medicines, and hospital stores, books and stationery for schools, and furniture for the employees, per fourth article treaty ninth June, eighteen hundred and fifty-five, three thousand dollars.

For fourth of twenty instalments for the pay and subsistence of one superintendent of farming operations, one farmer, two millers, one blacksmith, one wagon and plough maker, one carpenter and joiner, one physician, and two teachers, per fourth article treaty ninth June, eighteen hundred and fifty-five, eleven thousand two hundred dollars.

For fourth of twenty instalments for the pay of each of the head chiefs of the Walla-Walla, Cayuse, and Umatilla bands, the sum of five hundred dollars per annum, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand five hundred dollars.

For fourth of twenty instalments for salary for the son of Pio-pio-mox-mox, per fifth article treaty ninth June, eighteen hundred and fifty-five, one hundred dollars.

Yakima Nation.

Yakima Nation. — For fourth of five instalments for beneficial objects,

at the discretion of the President, per fourth article treaty ninth June, eighteen hundred and fifty-five, ten thousand dollars.

Yakima Nation.
Post, p. 953.

For fourth of twenty instalments for the support of two schools, one of which is to be an agricultural and industrial school; keeping in repair school buildings, and for providing suitable furniture, books, and stationery, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty ninth June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For fourth of twenty instalments for the employment of one superintendent of farming and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty ninth June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For fourth of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and fixtures therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For fourth of twenty instalments for the pay of a physician, per fifth article treaty ninth June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For fourth of twenty instalments for keeping in repair the buildings required for the various employees, and for providing the necessary furniture therefor, per fifth article treaty ninth June, eighteen hundred and fifty-five, three hundred dollars.

For fourth of twenty instalments for the salary of such person as the said confederated tribes and bands of Indians may select to be their head chief, per fifth article treaty ninth June, eighteen hundred and fifty-five, five hundred dollars.

Nez Perce Indians. — For fourth of five instalments for beneficial objects, at the discretion of the President, per fourth article treaty eleventh June, eighteen hundred and fifty-five, ten thousand dollars.

Nez Perce Indians.
Post, p. 958.

For fourth of twenty instalments for the support of two schools, one of which to be an agricultural and industrial school; keeping in repair school-buildings, and for providing suitable furniture, books and stationery, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for the employment of one superintendent of teaching and two teachers, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three thousand two hundred dollars.

For fourth of twenty instalments for keeping in repair blacksmiths', tinsmiths', gunsmiths', carpenters', and wagon and plough makers' shops, and for providing necessary tools therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for the employment of one superintendent of farming, and two farmers, two millers, two blacksmiths, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty eleventh June, eighteen hundred and fifty-five, nine thousand four hundred dollars.

For fourth of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article

Nez Perce In- treaty eleventh June, eighteen hundred and fifty-five, three hundred dol-
dians. lars.

For fourth of twenty instalments for pay of a physician, per fifth article treaty eleventh June, eighteen hundred and fifty-five, one thousand four hundred dollars.

For fourth of twenty instalments for keeping in repair the buildings for the various employees, and for providing the necessary furniture therefor, per fifth article treaty eleventh June, eighteen hundred and fifty-five, three hundred dollars.

For fourth of twenty instalments for the salary of such person as the tribe may select to be their head chief, per fifth article treaty eleventh June, eighteen hundred and fifty-five, five hundred dollars.

Flatheads and other confederated tribes.

Post, p. 976.

Flatheads and other Confederated Tribes.— For the last four instalments on one hundred and twenty thousand dollars for beneficial objects, at the discretion of the President, per fourth article treaty sixteenth July, eighteen hundred and fifty-five, six thousand dollars.

For fourth of twenty instalments for the support of an agricultural and industrial school, keeping in repair the buildings, and providing suitable furniture, books, and stationery, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For fourth of twenty instalments for providing suitable instructors therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For fourth of twenty instalments for keeping in repair blacksmiths', tin and gunsmiths', carpenters', and wagon and plough makers' shops, & providing necessary tools therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for the employment of two farmers, two millers, one blacksmith, one tinner, one gunsmith, one carpenter, and one wagon and plough maker, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, seven thousand four hundred dollars.

For fourth of twenty instalments for keeping in repair saw and flouring mills, and for furnishing the necessary tools and fixtures therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for keeping in repair the hospital, and providing the necessary medicines and furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For fourth of twenty instalments for pay of a physician, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, one thousand four hundred dollars.

For fourth of twenty instalments for keeping in repair the buildings required for the various employees, and furnishing necessary furniture therefor, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, three hundred dollars.

For fourth of twenty instalments for the pay of each of the head chiefs of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes, per fifth article treaty sixteenth July, eighteen hundred and fifty-five, fifteen hundred dollars.

Confederated tribes and bands of Indians in Middle Oregon.

Post, p. 964.

Confederated Tribes and Bands of Indians in Middle Oregon.— For fourth of five instalments of eight thousand dollars for beneficial objects, at the discretion of the President, per second article treaty twenty-fifth June, eighteen hundred and fifty-five, eight thousand dollars.

For fourth of fifteen instalments for pay and subsistence of one farmer, one blacksmith, and one wagon and plough maker, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, three thousand five hundred dollars.

For fourth of twenty instalments for pay and subsistence of one physician, one sawyer, one miller, one superintendent of farming operations, and one school teacher, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five thousand six hundred dollars.

For fourth of twenty instalments for payment of salary of the head chief of said confederated bands, per fourth article treaty twenty-fifth June, eighteen hundred and fifty-five, five hundred dollars.

Molel Indians.— For fourth of ten instalments for keeping in repair saw and flouring mills, and for the pay of necessary employees, the benefits of which to be shared alike by all the confederated bands, per second article treaty twenty-first December, eighteen hundred and fifty-five, one thousand five hundred dollars.

Molel Indians.
Post, p. 981.

For fourth of five instalments (in addition to the instalment specified in the treaty of twenty-ninth November, eighteen hundred and fifty-four, with the Umpquas and Calapooias of Umpqua Valley) for furnishing iron and steel and other materials for the smith and tin shops provided for in said treaty, and for the pay of the necessary mechanics, per second article treaty twenty-first December, eighteen hundred and fifty-five, one thousand eight hundred dollars.

For fourth of ten instalments for the pay of a carpenter and joiner to aid in erecting buildings and making furniture for said Indians, and to furnish tools in said service, per second article treaty twenty-first December, eighteen hundred and fifty-five, two thousand dollars.

For pay of teachers to manual labor school, for all necessary materials therefor, and for the subsistence of the pupils, per second article treaty twenty-first December, eighteen hundred and fifty-five, three thousand dollars.

For fourth of five instalments for the pay of an additional farmer, per second article treaty twenty-first December, eighteen hundred and fifty-five, eight hundred dollars.

Qui-nai-elt and Quil-leh-ute Indians.— For first of three instalments on twenty-five thousand dollars for beneficial objects, under the direction of the President, per fourth article treaty first July, eighteen hundred and fifty-five, one thousand six hundred dollars.

Qui-nai-elt and
Quil-leh-ute In-
dians.
Post, p. 972.

For fourth of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable instructors, per tenth article treaty first July, eighteen hundred and fifty-five, two thousand five hundred dollars.

For fourth of twenty instalments for support of smith and carpenter's shop, and to provide the necessary tools therefor, per tenth article treaty first July, eighteen hundred and fifty-five, five hundred dollars.

For fourth of twenty instalments for the employment of a blacksmith, carpenter, and farmer, and a physician who shall furnish medicines for the sick, per tenth article treaty first July, eighteen hundred and fifty-five, four thousand six hundred dollars.

S'Klallams.— For first of three instalments on sixty thousand dollars, under the direction of the President, per fifth article treaty twenty-sixth January, eighteen hundred and fifty-five, four thousand dollars.

S'Klallams.
Post p. 934.

For fourth of twenty instalments for the support of an agricultural and industrial school, and for pay of suitable teachers, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, two thousand five hundred dollars.

For fourth of twenty instalments for the employment of a blacksmith, carpenter, farmer, and a physician who shall furnish medicines for the sick, per eleventh article treaty twenty-sixth January, eighteen hundred and fifty-five, four thousand six hundred dollars.

For the general incidental expenses of the Indian service in New Mexico, presents of agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves

Indian service
in New Mexico

by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars.

Indian service
in country leased
from Choctaws
for Indians lately
in Texas.

Indian Service in the District of Country leased from the Choctaws for the Indians lately residing in Texas. — For the expenses of colonizing, supporting, and furnishing agricultural implements and stock, pay of necessary employees, purchase of clothing, medicine, iron, and steel, establishment and maintenance of schools, and building houses for the Indians lately residing in Texas, in lieu of those abandoned in that State, to be expended under the direction of the Secretary of the Interior, twenty-two thousand eight hundred and twenty-five dollars.

Wichitas and
other affiliated
bands.

For the Wichitas and other affiliated Bands. — For the expenses of colonizing, supporting, and furnishing said bands with agricultural implements and stock, pay of necessary employees, purchase of clothing, medicines, iron, and steel, and maintenance of schools, to be expended under the direction of the Secretary of the Interior, thirty-seven thousand eight hundred dollars.

Indian service
in California.

Indian Service in California. — For the general incidental expenses of the Indian service in California, including travelling expenses of the superintending agents, seven thousand five hundred dollars.

For the removal of Indians, transportation of goods, purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians for the northern district of California, thirty-five thousand dollars.

For two blacksmiths for the northern district of California, fifteen hundred dollars.

For two physicians for the northern district of California, two thousand dollars.

For the purchase of cattle for beef and milk, together with clothing and food, teams and farming tools for Indians for the southern district of California, fifteen thousand dollars.

For the salaries of clerks to superintendents of Indian affairs for the northern and southern districts of California, three thousand dollars.

Extra clerks in
Indian office.
1854, ch. 267.
Vol. x. p. 576.
1855, ch. 175.
Vol. x. p. 643.
Clerk for
bounty lands to
Indians.

For the compensation of five extra clerks employed in the Indian office, under the acts of fifth August, eighteen hundred and fifty-four, and third March, eighteen hundred and fifty-five, and under appropriations made from year to year, seven thousand dollars.

Extra clerks.

For compensation of one clerk in the Indian office, to enable the Secretary of the Interior to carry out the regulations prescribed to give effect to the seventh section of the act of March third, eighteen hundred and fifty-five, granting bounty lands to Indians, fourteen hundred dollars.

For compensation of two extra clerks in the Indian office, employed to carry out the treaty with the Chickasaws in the adjustment of their claims, two thousand eight hundred dollars.

Delivery, &c.,
of annuities to
tribes in Minne-
sota and Michi-
gan,

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Indian tribes in Minnesota and Michigan, twenty thousand three hundred and fifty dollars and sixty-two cents.

to the Pawnee,
Ponca, and Yanc-
ton Sioux,
to Blackfeet
Indians,

For insurance, transportation, and necessary expenses of the delivery of Pawnee, Ponca, and Yancton Sioux annuity goods and provisions, ten thousand dollars.

to Chippewas
of Lake Superior,

For expenses of transportation and delivery of annuity goods to the Blackfeet Indians for the year, seventeen thousand dollars.

to Chippewas
of the Mississippi.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of Lake Superior, five thousand seven hundred and sixty-two dollars and sixty-three cents.

For insurance, transportation, and necessary expenses of the delivery of annuities and provisions to the Chippewas of the Mississippi, three thousand eight hundred and eighty-six dollars and seventy-five cents.

Vaccination.

For expenses attending the vaccination of Indians, two thousand five hundred dollars.

For the general incidental expenses of the Indian service in Oregon and Washington Territory, including insurance and transportation of annuity goods and presents, (where no special provision therefor is made by treaties,) and office [and] travelling expenses of the superintendent and sub-agents, thirty-five thousand dollars. Indian service in Oregon and Washington,

For defraying the expenses of the removal and subsistence of Indians in Oregon and Washington Territory, (not parties to any treaty,) and for pay of necessary employees, fifty thousand dollars.

Indian Service in Nevada Territory. — For the general incidental expenses of the Indian service in Nevada Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes, and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars. in Nevada Territory.

Indian Service in Utah Territory. — For the general incidental expenses of the Indian service in Utah Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars. in Utah Territory,

For three interpreters for Indian service in Utah Territory, one thousand five hundred dollars.

Indian Service in Colorado Territory. — For the general incidental expenses of the Indian service in Colorado Territory, presents of goods, agricultural implements, and other useful articles, and to assist them to locate in permanent abodes and sustain themselves by the pursuits of civilized life, to be expended under the direction of the Secretary of the Interior, twenty-five thousand dollars. in Colorado Territory.

Omahas. — For assistant engineer for mill, six hundred dollars. Omahas.

For pay of assistant miller, three hundred dollars.

For payment to Tah-sah, or White Cow, an Omaha chief, for horses killed by white settlers, six hundred and thirty dollars. Tah-sah.

For payment of admitted claims of S. C. Webber and J. J. Miller for labor in erection of mill on the Omaha reservation, six hundred and fifty-eight dollars and fifty cents. S. C. Webber and J. J. Miller.

For amount required to reimburse the Blackfeet and other Indians in dry goods, clothing, hardware, and guns, which were lost in shipment in the burning of the steamer Chippewa, fourteen thousand four hundred and four dollars and seventy-seven cents. To replace goods lost in the burning of the steamer "Chippewa."

Arapahoes and Cheyenne Indians of the Upper Arkansas River. — For third of fifteen instalments of annuity of thirty thousand dollars to be expended for their benefit, that is to say: fifteen thousand dollars per annum for each tribe, commencing with the year in which they shall remove to and settle upon their reservations, thirty thousand dollars. Arapahoes and Cheyenne Indians of the Upper Arkansas River.

Post, p. 1165.

For first of five instalments to provide the said Indians with a mill suitable for sawing timber and grinding grain, one or more mechanics' shops, with the necessary tools for the same, and dwelling-houses for an interpreter, miller, engineer for the mill, (if one be necessary,) farmers, and the mechanics that may be employed for their benefit, five thousand dollars.

For transportation and necessary expenses of delivering of annuities, goods, and provisions, five thousand dollars.

For survey and allotment of lands for the Arapahoe and Cheyenne Indians, ten thousand dollars. Survey and allotment of lands.

For the expenses of colonizing, supporting, and furnishing agricultural implements, teams, seeds, pay of necessary employees, purchase of medicines, iron and steel for the establishment of blacksmith and tin shops for those Indians with whom treaties have been made, but not ratified, in Oregon, ten thousand dollars.

Ottawa Indians of Blanchard's Fork and Roche de Bœuf.

Post, p. 1238.

Ottawa Indians of Blanchard's Fork and Roche de Bœuf.— For payment of annuity in money, eighteen thousand dollars.

For the first of four instalments in money, per fourth article of treaty June twenty-fourth, eighteen hundred and sixty-two, eight thousand five hundred dollars.

For interest on thirty-four thousand dollars at five per centum per annum, per fourth article treaty June twenty-fourth, eighteen hundred and sixty-two, one thousand seven hundred dollars.

For payment for ponies, cattle, and timber stolen from the Ottawas, reported and approved by Secretary of the Interior, thirteen thousand and five dollars and ninety-five cents.

For payment of damages sustained in compliance with the provisionary clause of the tenth article of treaty of June twenty-four, eighteen hundred and sixty-two, three thousand five hundred dollars.

Agents in Upper Missouri.

For the salaries of two agents on the Upper Missouri and the country adjacent thereto, to be located under the direction of the Secretary of the Interior, three thousand dollars.

Losses to Yancton Sioux by the sinking of the steamer "J. G. Morrow."

To reimburse the loss sustained by the Yancton Sioux Indians on the twenty-ninth of August, eighteen hundred and sixty-one, by the sinking of the steamer "J. G. Morrow," four thousand three hundred and twenty dollars and thirty-eight cents.

Indian service in Utah.

For clothing, food, and other necessary expenses of the Indian service, in Utah Territory, to be expended under the direction of the Secretary of the Interior, for the year ending June thirty, eighteen hundred and sixty-three, twenty thousand dollars.

Incidentals of Indian Department.

For incidental expenses of the Indian Department growing out of the extraordinary Indian troubles during the present fiscal year in the Northwestern States and Territories, twenty thousand dollars.

Agent for Ottawas.

Proviso.

For the salary of an agent for the Ottawas, Chippewas, of Swan Creek, and Black River, and Christian Indians in the State of Kansas, fifteen hundred dollars: *Provided*, That said agency shall continue for one year only.

Claims of half-breeds to proceeds of lands in the Nemaha reserve.

1859, ch. 66, § 6.
Vol. xi. p. 401.

For carrying into effect the sixth section of the "Act making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations," approved February twenty-eighth, eighteen hundred and fifty-nine, to satisfy the claims of the half-breeds to the proceeds of the lands in the Nemaha reserve, excluded from such reservations by the McCoy survey of eighteen hundred and thirty-eight, nineteen thousand six hundred and twenty-one dollars and twenty-seven cents.

Intercourse with Indian tribes, with whom are no treaties.

For intercourse with the various Indian tribes between whom and the United States there exist no treaty stipulations, including purchase and transportation of provisions and presents, and to meet any other expenses requisite to effect treaties with such tribes, to be expended under the direction of the Secretary of the Interior, and to enable the Secretary of the Interior, under the direction of the President of the United States, to enter into negotiations with Indian tribes for the exchange of lands, to provide for their removal, to arrange questions of boundaries between the respective tribes, and for measures generally for preserving peace with them, fifty thousand dollars: *Provided*, That the said Secretary of the Interior shall report to Congress, at the commencement of its next session, a statement indicating the disposition made of the money hereby appropriated: *And provided, further*, That hereafter all special agents and commissioners not appointed by the President, shall be appointed by the Secretary of the Interior.

Negotiations for exchange of lands, &c.

Proviso.

Appointment of special agents and commissioners.

Relief of the Weas, Peorias, &c.

Sale of bonds.

SEC. 2. *And be it further enacted*, That the Secretary of the Interior be authorized to dispose of, at the best price they will bring in the market, twenty-five thousand dollars of the bonds of the State of Pennsylvania, purchased with the proceeds of the sales of the lands of the united bands

of the Weas, Peorias, Kaskaskias, and Piankeshaw Indians of Kansas, now in the custody of the United States belonging to said Indians, or so many thereof as he may deem necessary for the purchase of such clothing, food, seed, grain, agricultural implements or domestic animals, as may be necessary for the immediate relief of said Indians, and to enable them to plant a crop, and appropriate the proceeds of the sales of said bonds or so much thereof as he may deem necessary for said purpose: *Provided*, That said sale shall be made after three weeks' public notice at the Merchants' Exchange in the city of Philadelphia, to the highest bidder, and at not less than the market price of said bonds in the cities of New York and Philadelphia: *And provided further*, That no special agent or agents shall be employed, nor shall any such sale be made until after the assent and approval of said Indians for the sale of their bonds shall first be obtained through their regular authorized representatives.

Certain bonds to be sold.

Notice of sale and minimum price.

Sale not to be made until after assent and approval of Indians.

SEC. 3. *And be it further enacted*, That the Secretary of the Interior be, and he is hereby authorized to expend such part of the amount heretofore appropriated to carry into effect any treaty stipulation with any tribe or tribes of Indians, all, or any portion of whom shall be in a state of actual hostility to the Government of the United States, including the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, Wichitas, and other affiliated tribes, as may be found necessary to enable such individual members of said tribes as have been driven from their homes, and reduced to want on account of their friendship to the United States, to subsist until they can be removed to their homes, and to assist them in such removal: *Provided*, That an account shall be kept of the sums so paid for the benefit of the said members of said tribes, which account shall be rendered to Congress at the commencement of the next session thereof. And all purchases of articles for the purposes above set forth shall be made of the lowest responsible bidder, after sufficient public notice by advertisement in appropriate newspapers: *Provided, also*, That the said Secretary shall not be required to accept any bid which is in his judgment unreasonable in its character.

Amounts heretofore appropriated under treaty stipulations with tribes now in hostility, how to be expended.

Account to be kept.

Purchases how made.

SEC. 4. *And be it further enacted*, That the President of the United States be, and is hereby, authorized to enter into treaties with the several tribes of Indians, respectively, now residing in the State of Kansas, providing for the extinction of their titles to lands held in common within said State, and for the removal of such Indians of said tribes as hold their lands in common to suitable localities, elsewhere within the territorial limits of the United States, and outside the limits of any state.

President may make treaty with Indians in Kansas to extinguish their titles to land,

SEC. 5. *And be it further enacted*, That the President of the United States be, and is hereby, authorized to enter into negotiations, by treaty or otherwise, with such loyal tribes, or the loyal portions of such tribes, now residing in the country south of Kansas and west of Arkansas, commonly known as the "Indian Country" as may be necessary in order to secure for the Indians of Kansas who shall be removed to said Indian country under the provisions of the preceding section of this act, the title to the lands to which they may be so removed.

and with loyal tribes in the Indian country.

SEC. 6. *And be it further enacted*, That the Secretary of the Interior is hereby authorized to direct so much of the unexpended balances of appropriation for the Indian service in Oregon and Washington as may be necessary to meet the outstanding liabilities of the Indian Department in said State and Territory during the fiscal years ending eighteen hundred and sixty, eighteen hundred and sixty-one, and eighteen hundred and sixty-two, a sum not exceeding sixty-eight thousand dollars: *Provided, however*, That no money shall be paid except in discharge of liabilities incurred in carrying into effect the objects provided for by law for the Indian service.

Unexpended balances for Indian service in Oregon and Washington.

SEC. 7. *And be it further enacted*, That the salaries of the Indian

Salaries of

agents in Utah and Nevada. agents in Nevada and Utah shall hereafter be at the rate of fifteen hundred dollars per annum.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. C.—An Act to provide Circuit Courts for the Districts of California and Oregon, and for other Purposes.

Supreme court to consist of a chief justice and nine associates. Quorum. One additional justice. California and Oregon to form 10th circuit. District courts in those States not to have powers of circuit courts. 1855, ch. 142. Vol. x. p. 631. Circuit court abolished. Circuit courts, how to be held.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the supreme court of the United States shall hereafter consist of a chief justice and nine associate justices, any six of whom shall constitute a quorum; and for this purpose there shall be appointed one additional associate justice of said court, with the like powers, and to take the same oaths, perform the same duties, and be entitled to the same salary, as the other associate justices. The districts of California and Oregon shall constitute the tenth circuit, and the other circuits shall remain as now constituted by law.

SEC. 2. *And be it further enacted,* That so much of any act or acts of Congress as vests in the district courts in and for the said States of California and Oregon, or either of them, the power and jurisdiction of circuit courts, and the act entitled "An act to establish a circuit court of the United States in and for the State of California," approved March second, eighteen hundred and fifty-five, be, and the same are hereby, repealed, and the said circuit court is hereby abolished; and there shall hereafter be circuit courts held for the districts of the States of California and Oregon by the chief justice, or one of the associate justices of the supreme court of the United States assigned or allotted to the circuit to which such districts may respectively belong, and the district judges of such districts, severally and respectively, either of whom shall constitute a quorum, which circuit courts and the judges thereof shall have like powers and exercise like jurisdiction as other circuit courts and the judges thereof; and the district courts in and for the several districts in and for said States of California and Oregon, and the judges thereof, shall have like powers and exercise like jurisdiction as the district courts and the judges thereof in the other circuits.

Provision for pending process. Bail-bonds, &c. Regulations. Clerks.

SEC. 3. *And be it further enacted,* That all actions, suits, prosecutions, causes, pleas, process, and other proceedings, relative to any cause, civil or criminal, (which might have been brought and could have been originally cognizable in a circuit court as established by this act,) now pending in or returnable to the several district courts of the United States in the said States of California and Oregon, or now pending in or returnable to the circuit court of California, by this act abolished, acting as circuit courts (or so empowered to act) shall be, and are hereby declared to be, respectively, transferred, returnable, and continued to the several circuit courts constituted by this act, to be holden within said districts respectively, and shall be heard, tried, and determined therein, in the same manner as if originally brought, entered, prosecuted, or had in such circuit courts; and no bail-bond or recognizance taken in any of said actions, suits, prosecutions, or causes transferred to said circuit courts by this act shall thereby be avoided, impaired, or invalidated; and the said circuit courts shall be governed by the same laws and regulations as apply to the other circuit courts of the United States; and the clerks of said courts, respectively, shall perform the same duties, and shall be entitled to receive the same fees and emoluments which are by law established for the clerks of the other circuit courts of the United States.

Times and places of circuit courts in California, in Oregon.

SEC. 4. *And be it further enacted,* That the circuit court for the districts in California shall be held at the city of San Francisco and the city of Los Angeles, in said State, at the same times now prescribed by law for holding terms of the district courts for the northern and southern districts of said State at said places; and the circuit court for the State of Oregon

shall be held at Portland, in said State, at the same times now fixed by law for holding terms of the district court for the district of Oregon at that place.

SEC. 5. *And be it further enacted*, That the judge assigned to the tenth circuit, as constituted by this act, shall receive, in addition to his salary hereinbefore provided, the sum of one thousand dollars for his travelling expenses for each year in which he may actually attend a session of the supreme court of the United States.

Judge of 10th circuit allowed \$1,000 a year for travel, &c.

APPROVED, March 3, 1863.

CHAP. CI. — *An Act to carry into Effect the Convention between the United States and the Republic of Peru, signed at Lima on the twelfth of January, eighteen hundred and sixty-three, for the Settlement of Claims.*

March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States, by and with the advice and consent of the Senate, shall appoint two commissioners, whose duty it shall be, conjointly with the commissioners appointed by the Government of Peru, to investigate, adjust, and determine the amount of the claims of citizens of the United States against the Government of Peru, and of citizens of Peru against the Government of the United States, pursuant to the terms of a convention signed at Lima, on the twelfth of January, eighteen hundred and sixty-three.

The President to appoint two commissioners under the convention with Peru.

SEC. 2. *And be it further enacted*, That the President, by and with the advice and consent of the Senate, shall appoint a solicitor or agent, learned in the Spanish language and law, on the part of the United States, whose duty it shall be to prosecute, before the joint commission in the city of Lima, the claims of citizens of the United States embraced in the stipulations of said convention.

Solicitor or agent.

SEC. 3. *And be it further enacted*, That the President, by and with the advice and consent of the Senate, shall appoint a secretary to the said commissioners on behalf of the United States, versed in the English and Spanish languages.

Secretary.

SEC. 4. *And be it further enacted*, That the compensation of the respective officers for whose appointment provision is made in this act shall be as follows: To the commissioners, in full for their services, four thousand five hundred dollars each; to the solicitor or agent, four thousand five hundred dollars, in full for his services. And the said commissioners and agent shall also be allowed, in commutation of travelling and all other personal expenses, ten dollars a day; for the time actually and necessarily occupied in going from the places of their residence to Lima and returning home, under the provisions of the convention. To the secretary of the commissioners on the part of the United States, there shall be paid two thousand dollars in full for his services, and the same amount in commutation of all travelling and other personal expenses, as is provided in the case of the commissioners and solicitor. And the sums necessary to pay the foregoing salaries and expenses, as well as the share of the contingent expenses of the commission on the part of the United States, and of the compensation of the umpire chosen under the convention, are hereby appropriated out of any money in the treasury not otherwise appropriated.

Pay of commissioners,

solicitor,

secretary.

Appropriation.

SEC. 5. *And be it further enacted*, That the said commissioners on the part of the United States, in conjunction with the commissioners on the part of Peru, shall be, and they are hereby, authorized to make all needful rules and regulations for conducting the business of the said commission; such rules and regulations not contravening the Constitution of the United States, the provisions of this act, or the stipulations of the said convention.

Rules and regulations for conducting the business of the commission.

SEC. 6. *And be it further enacted*, That the Secretary of State is

Papers and records to be transmitted to the commission. Records and documents to be returned.

hereby authorized and required to transmit to the said commissioners such papers or records relating to the said commission as he may deem proper, or as may be called for by the said commissioners, and at the close of the commission, and of the duties of the umpire, all the records, documents, and all other papers which have been presented on behalf of the claimants, citizens of the United States, shall be returned to the Department of State, or be deposited in the Legation of the United States at Lima, as the President may direct.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CII. — *An Act to amend an Act entitled "An Act to promote the Progress of the useful Arts."*

Renewal of oath. Repeal of part of 1836, ch. 102, § 7. Vol. v. p. 119. Reduction of pay of examiners and clerks, may be made up.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section seven of the act entitled "An act to promote the progress of the useful arts," approved July four, eighteen hundred and thirty-six, as requires a renewal of the oath, be, and the same is hereby, repealed.

SEC. 2. *And be it further enacted,* That, whereas, the falling off of the revenue of the patent-office required a reduction of the compensation of the examiners and clerks, or other employees in the office after the thirty-first day of August, eighteen hundred and sixty-one, that the commissioner of patents be, and he is hereby, authorized, whenever the revenue of the office will justify him in so doing, to pay them such sums, in addition to what they shall already have received, as will make their compensation the same as it was at that time.

Date of patents. If final fee is not then paid, patent to be withheld, and the invention become public property. Proviso.

SEC. 3. *And be it further enacted,* That every patent shall be dated as of a day not later than six months after the time at which it was passed and allowed, and notice thereof sent to the applicant or his agent. And if the final fee for such patent be not paid within the said six months, the patent shall be withheld, and the invention therein described shall become public property, as against the applicant therefor: *Provided,* That in all cases where patents have been allowed previous to the passage of this act, the said six months shall be reckoned from the date of such passage.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CIII. — *An Act to incorporate the Institution for the Education of Colored Youth in the District of Columbia.*

"The Institution for the Education of Colored Youth" incorporated.

Objects. Name and power. Common seal. Officers. By-laws. Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Henry Addison, John C. Underwood, George C. Abbott, William H. Channing, Nancy M. Johnson, of the District of Columbia, and Myrtella Miner, of California, and their associates and successors, are hereby constituted and declared to be a body politic and corporate, by the name and title of "The Institution for the Education of Colored Youth," to be located in the District of Columbia; the objects of which institution are to educate and improve the moral and intellectual condition of such of the colored youth of the nation as may be placed under its care and influence, and by that name shall have perpetual succession, with power to sue and be sued, to plead and be impleaded in any court of the United States, to collect subscriptions, make by-laws, rules and regulations, as may be needful for the government of said institution, and the same to alter, amend, and abrogate at pleasure; to have a common seal, the same to break, alter, and renew at will; to appoint such officers as may be required for the management of the institution, and to assign them their duties, and generally to provide for the transaction of all business appertaining to said institution. And the by-laws, rules, and regulations which may be so adopted, shall be as valid as if they were made a part of this act: *Provided,* They shall not

be inconsistent herewith, nor repugnant to the laws of the District of Columbia.

SEC. 2. *And be it further enacted*, That said corporation may have, hold, and receive, for the purposes of said institution and for no other, real, personal, and mixed estate, by purchase, gift, or devise, not to exceed one hundred thousand dollars; to use, lease, sell, or convey the same for the purposes and benefit of said institution; may appoint such teachers as may be necessary, and fix their compensation.

Real estate and other property.

Teachers.

SEC. 3. *And be it further enacted*, That said corporation shall not be engaged in any banking or commercial business, nor shall it issue any note, check, or other evidence of debt intended to be used as a circulation; and Congress may have the right to alter or repeal this act at any time hereafter.

Limit of corporate powers.

This act may be altered or repealed.

APPROVED, March 3, 1863.

CHAP. CIV. — *An Act granting Lands to the States of Michigan and Wisconsin to aid in the Construction of a "Military Road" from Fort Wilkins, Copper Harbor, Keweenaw County, in the State of Michigan, to Fort Howard, Green Bay, in the State of Wisconsin.*

March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, granted to the State of Michigan, to aid in the construction of a military wagon-road from Fort Wilkins, Copper Harbor, to Houghton, Portage Lake, and thence, in a southerly direction, to the state line of Wisconsin, every alternate section of public land, designated by even numbers, for three sections in width, on each side of said road, and also a like quantity, to be taken and designated in same manner, to the State of Wisconsin, to aid in the construction of a like road from the last-mentioned place on the state line of Wisconsin to Fort Howard, Green Bay, in the said State of Wisconsin. But in case it shall appear that the United States have, when the line or route of said road is definitely fixed, sold any section, or any part thereof, granted as aforesaid, or that the right of preëmption or homestead settlement has attached to the same, then it shall be the duty of the Secretary of the Interior to set apart from the public lands of the United States, as near to said even sections aforesaid as may be, so much land as shall be equal to such lands as the United States have sold, or otherwise appropriated, or to which the right of preëmption or homestead settlement has attached; which lands, (thus selected in lieu of those sold, and to which the right of preëmption or homestead settlement has attached as aforesaid,) together with the sections and parts of sections designated by even numbers as aforesaid, and approved as aforesaid, shall be held by the States of Michigan and Wisconsin for the use and purposes aforesaid: *Provided*, That the lands to be selected for and on account thereof shall in no case be further than fifteen miles from said road: *Provided, further*, That the lands hereby granted shall be exclusively applied in the construction of that road for and on account of which such lands are hereby granted, and shall be disposed of only as the work progresses, and the same shall be applied to no other purposes whatever: *And provided, further*, That any and all lands heretofore reserved to the United States by any act of Congress, or in any other manner by competent authority, for the purpose of aiding in any object of internal improvement, or for any other purposes whatsoever, be, and the same are hereby, reserved to the United States from the operation of this act, except so far as it may be found necessary to locate the route of said road through such reserved lands; in which case the right of way only shall be granted.

Land granted to Michigan and Wisconsin, to aid in the construction of a military wagon-road.

If any land granted has been sold, &c., an equivalent amount to be given in lieu thereof.

Lands not to be over 15 miles from the road, to be applied solely to the construction of the road.

Reserved lands not within this act, except for location of road.

SEC. 2. *And be it further enacted*, That the said lands hereby granted for the said States shall be subject to the disposal of the legislature thereof, for the purposes aforesaid, and no other; and the said road shall be and remain [a] public highway for the use of the Government of the United States,

Lands subject to the disposal of the legislature.

Road to be a public highway.

and free to the free from tolls or other charge upon the transportation of any property, United States. troops, or mails of the United States.

Mode of disposing of the lands.

SEC. 3. *And be it further enacted*, That the lands hereby granted to said States shall be disposed of only in the following manner, that is to say: That a quantity of land, not exceeding thirty sections, for said road, may be sold; and when the governors of said states shall certify to the Secretary of the Interior that any ten continuous miles of said road are completed, then another quantity of land, hereby granted, not to exceed thirty sections for said road, having ten continuous miles completed as aforesaid, may be sold, and so, from time to time, until the said road is completed; and if said road is not completed within five years, no further sales shall be made, and the lands unsold shall revert to the United States.

Mode of constructing the road.

SEC. 4. *And be it further enacted*, That said military road shall be constructed with sufficient drains and ditches, and not less than forty feet in width, with a grade not less than sixteen feet wide, with such graduation and bridges as shall permit of its regular use as a wagon road in all seasons of the year, and in such other special manner as the States of Michigan and Wisconsin may prescribe.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CV. — *An Act to incorporate St. Ann's Infant Asylum, in the District of Columbia.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Theresa A. Costello, Lucy Gwynn, Margaret Bowden, Sarah M. Carroll, Catherine Ryan, Louisa Fisher, and Catherine Shea, and their successors, be, and they are hereby, made a body politic and corporate forever, by the name of "St. Ann's Infant Asylum," for the purpose of establishing and maintaining in the city of Washington, in the District of Columbia, an institution for the maintenance and support of foundlings and infant orphan and half-orphan children, and also to provide for deserving indigent and unprotected females during their confinement in childbirth; and by that name may sue and be sued, prosecute and defend; may have and use a common seal, and the same alter and renew at pleasure; may adopt and establish rules, regulations, and by-laws not repugnant to the Constitution and laws of the United States, for properly conducting the affairs of said corporation; may take, receive, purchase, and hold estate, real, personal, and mixed, not exceeding in value at any one time one hundred thousand dollars, and may manage and dispose of the same, and apply the same, or the proceeds of the sales thereof, to the uses and purposes of said corporation, according to the rules and regulations which now are or may hereafter at any time be established.

"St. Ann's Infant Asylum" incorporated.

Objects.

Name and seal.

By-laws.

Amount of estate.

Corporation may retain foundlings and infant children committed to its care, until, &c.,

may bind them out, place them for adoption, &c.

SEC. 2. *And be it further enacted*, That said corporation shall be entitled to retain under their care, charge, and restraint, and subject to the rules and discipline of said corporation, all foundlings and infant children committed to their keeping as fully and completely, to all intents and purposes, as if they were regularly indentured and bound apprentices to said institution, until said foundlings and infants shall be, if males, twenty one years old, and if females, eighteen years old, or any shorter period that may be agreed upon; and said corporation shall have power to bind them out for a time not to exceed said ages of twenty-one and eighteen years, respectively, as apprentices to learn any trade or business, or to learn to be useful in housekeeping, or may, under terms proper in the view of the said corporation and to be by them stipulated, place them for adoption, or as inmates with any families or persons, said corporation not being restricted in the exercise of their powers of binding or placing out to the District of Columbia; and all such acts shall be in writing, signed by the president

of said corporation, and sealed with their corporate seal, and signed and sealed by the persons taking said children as apprentices or as aforesaid, and acknowledged by said parties before a justice of the peace in and for said District, and within one month thereafter recorded in the office of the register of wills for said District.

SEC. 3. *And be it further enacted,* That Congress may at any time hereafter alter, amend, or repeal this act.

APPROVED, March 3, 1863.

CHAP. CVI. — *An Act to define the Powers and Duties of the Levy Court of the County of Washington, District of Columbia, in regard to Roads, and for other Purposes.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the levy court of the county of Washington, District of Columbia, shall hereafter consist of nine members, to be appointed by the President of the United States, by and with the advice and consent of the Senate, who shall hold their offices for the term of three years. But of the members to be first appointed one third shall be appointed and hold their offices for one year, or until the thirty-first day of December, eighteen hundred and sixty-three; one third for two years, or until the thirty-first of December, eighteen hundred and sixty-four; and one third for three years, or until the thirty-first of December, eighteen hundred and sixty-five. The terms of members shall commence on the first day of January, and end on the thirty-first day of December; and it shall be the duty of the President to nominate members, to fill the places of those whose term is about to expire, as early as the fifteenth day of December; and he may renominate any out-going member, should he think proper to do so. Of the nine members of the court, five shall be residents of the county, three of the city of Washington, and one of the city of Georgetown. In case of vacancies happening, the President shall fill them as other vacancies are filled; and the term of the person appointed to fill any vacancy shall expire when the term of him in whose place he is appointed would have expired.

SEC. 2. *And be it further enacted,* That every person appointed as a member of the levy court shall, before he enters on his duties, take an oath faithfully to discharge the duties of the office, and also to support the Constitution of the United States; and he shall also take the oath of allegiance prescribed by the act of July second, eighteen hundred and sixty-two. The members of said court shall hereafter be entitled to receive four dollars a day, each, for every day they shall attend a sitting of the court, and not absent themselves without permission of the court, and four dollars for every day they shall serve on a committee, to be paid by the county treasurer upon the certificate of the president of said court.

SEC. 3. *And be it further enacted,* That the said court shall have the care and charge of, and the exclusive jurisdiction over, all the roads and bridges in said county, except such roads and bridges as belong to and are under the care of the United States. And the said court shall have power, and it shall be their duty —

First. To lay out, alter, repair, discontinue, and regulate any of the public roads and highways within said county, and at any time hereafter to inquire and to decide whether any road in said county held by any incorporated company, has been, and is at the time of such inquiry, kept in the condition required by the charter thereof, and if not, to take legal proceedings to acquire possession of the same as other county roads.

Second. To levy and collect taxes for that purpose upon and from the inhabitants of said county, of the age of twenty-one years and over; those having no property to assess to be assessed to labor.

Third. To appoint, annually, and take bond and security from, a clerk and treasurer, and also to appoint a collector of taxes, who shall have

Act to be in writing, under seal, and acknowledged.

This act may be altered or repealed.

Levy court to consist of nine members.

Appointment and term of office. One third to go out each year.

When terms commence.

Residence. Vacancies.

Oath of office and allegiance.

Pay.

Jurisdiction, power, and duty of court. Roads and bridges.

Laying out, &c., highways.

Levying, &c., taxes for highways, &c.

Appointment, &c., of clerk,

treasurer, and collector.

Superintendent and supervisors of road.

Bridges.

Pay of clerk, &c.

Tax on lands, &c., on dogs.

Accounts of collectors, treasurer, &c.

Reports of supervisors.

Fines for obstructing roads, &c.

Private roads.

Support of the poor and poor-house.

Powers apply to what part of the county.

Part of taxes may be paid in labor.

When whole tax may be so paid.

Labor on roads, how performed.

Notice to those liable to work.

If labor is not performed, amount to be paid in cash and 20 per cent. over.

power to collect all the taxes (not to be paid in labor) levied by said court, and to proceed to collect the same, in such manner and within such periods of time as the said levy court may direct.

Fourth. To appoint, annually, a general superintendent of roads and such number of supervisors of roads as they may deem expedient; to remove them, as well as the clerk and treasurer and tax collector, whenever, in their judgment, there is sufficient cause, or the public interests will be subserved thereby.

Fifth. To cause bridges to be erected whenever necessary or convenient, and to keep all bridges in good repair.

Sixth. To fix, from time to time, the pay of the clerk, treasurer, tax collector, superintendent, and supervisors of roads, and the rates per day or hour, to be paid for labor to be performed by men or teams when employed upon roads or bridges.

Seventh. To levy a tax upon all lands and other assessable property lying in said county, at a rate not exceeding one dollar in the hundred dollars of their valuation, and also a tax of not exceeding one dollar each on dogs.

Eighth. To require reports or the rendition of accounts from the collector of taxes, the treasurer of the county, and from supervisors of roads, whenever they shall deem it expedient or proper. Also, reports from supervisors as to the condition of the roads and bridges in their respective districts, and estimates of the probable amount that will be required to put and keep the same in good repair for the ensuing year.

Ninth. To pass ordinances imposing fines for trespassing upon or obstructing or injuring any road or trees therein, or bridge, in said county, and to empower and require the tax collector to collect the same in the same manner as other fines are now collected, and to exercise a general police power over all roads and bridges in said county.

Tenth. To lay out private roads.

Eleventh. To provide for the maintenance and support of the poor; to erect a "poor-house" for that purpose, if deemed by said court necessary and proper; and, in addition to the tax otherwise herein authorized, to levy and collect a tax on real and personal property in said county to pay for the same. The powers herein given are to apply only to that portion of the county not included within the corporate bounds of Washington and Georgetown.

SEC. 4. *And be it further enacted*, That the said court may authorize any portion, not exceeding three fourths of the taxes levied for road and bridge purposes, to be paid in labor, of men, horses, mules, oxen, the use of ploughs, carts, and wagons, at rates per day or hour, for each, to be fixed by said court. But in case any one assessed shall have no visible property, and shall prefer it, he may pay the whole of his tax in labor. All labor upon roads and bridges shall be performed at such times and places as the superintendent of roads shall direct, and under his supervision, or that of the supervisor of the road, or such other person as may be appointed to superintend the work. And it shall be the duty of the superintendent to notify all persons liable to pay road tax, or to labor on roads, of the time and place, when and where they must appear and perform such labor, at least one week before the day they are required to appear. And he may notify such as have teams of horses, mules, or oxen, or may have a cart or wagon, to come or send an ablebodied hand with such team, cart or wagon, to be used in repairing or making roads or bridges; such notice to be given personally or in writing left at the residence of the individual notified. If the person so notified shall fail to appear at the time and place, or send an ablebodied substitute, or shall not conform to the directions of the person having charge of the work, or shall not labor diligently, in the latter case he shall be dismissed, and in either case he shall pay the whole amount of his road tax in cash, with an addition of twenty per centum thereon. For the convenience of the

tax collector and the superintendent of roads, it shall be the duty of all tax-payers who desire to work out that portion of their road tax which is herein provided they may work out, as early as the first Monday of April of each year, to give notice to the supervisor of their district of such desire, and such supervisor shall notify the tax collector. But in case any one shall fail to perform the labor required of him, the tax collector shall, upon being notified thereof, collect the said tax in cash, with the twenty per centum added.

Those desiring to work out their tax, to notify supervisor.

SEC. 5. *And be it further enacted,* That it shall be the duty of the superintendent and supervisors of roads to have at least three fourths of the work to be done on them during the year performed as early as the middle of July; and in making and repairing the roads they shall be raised full twelve inches higher in the middle than at the sides, and shall be gradually rounded off to the gutters, which shall be made capacious enough to carry off all the falling water.

Three fourths of the work to be done as early as middle of July.

Crowning of roads.

SEC. 6. *And be it further enacted,* That no bill for labor performed upon any road or bridge shall be allowed or paid to any supervisor by the levy court which is not accompanied by a certificate of the superintendent of roads that he has personally examined the road or bridge so made or repaired, and that the work has been well done and according to law, and that the charges are reasonable and just: *Provided, however,* That one or more members of the court, to be appointed for that purpose, may, after personal examination, make such certificate.

What bills only to be paid.

Proviso.

SEC. 7. *And be it further enacted,* That on extraordinary occasions, when any public road or bridge shall be destroyed, or so injured as to require immediate repair, it shall be the duty of the superintendent as well as the supervisor of the road to cause the necessary repairs to be forthwith made; and if there are no funds in hand with which to hire laborers and teams, or if laborers and teams cannot be otherwise procured, the said supervisor shall immediately summon a sufficient number of men living nearest the place to appear and labor on said road or bridge until it shall be repaired; and he may also require any person owning a team and living within a reasonable distance to appear with said team and cart or wagon and plough. And if any one thus called upon, having received two days' notice, shall neglect or refuse to appear and labor, or send an ablebodied substitute, or shall refuse his team, cart, wagon, or plough, he shall forfeit and pay to the levy court a sum not less than three dollars, nor more than ten, to be recovered before any justice of the peace in said county, with costs. For labor, the use of teams, and other necessary implements, performed and furnished on such occasions, a just and fair compensation shall be paid, to be fixed by the said court.

Immediate and extraordinary repairs.

SEC. 8. *And be it further enacted,* That whenever the levy court shall deem it conducive to the public interests to open a new road, or change the course of an old one, they shall direct the route of such road to be surveyed by the county surveyor, and a plat or map of the same to be prepared. They shall then cause notice to be given, by advertisement, twice a week for three weeks, of the proposed opening of the new road, or of the alteration of an existing one, calling upon all persons who may have any objections thereto to present them to the court at its next regular meeting. If any objections are made, the court shall then and there hear them. If the route only is objected to, and another or others suggested as more advantageous, the court may adopt it, or appoint five discreet, disinterested men, of whom the county surveyor shall be one, to examine all the proposed routes, and report such an one as they shall deem most feasible and advantageous to the county, and such report shall be made to the court at its next session. If no objection to the opening or altering a road by the owners of the land through which it must pass after such notice [is made], it shall be taken for granted that no damages are or will be claimed, and the road may be recorded and opened, and shall then be

Opening of new roads or changing course of old one.

Proceedings.

Damages.

a public road or highway; but if any owner or owners of the land shall object and claim damages, and the court cannot agree with such owner or owners upon the amount, then the court shall direct the marshal of the District to summon a jury of seven judicious, disinterested men, not related to any party interested, to be and appear on the premises on a day specified to assess the damages, if any, which each owner of land through which the road is to pass may sustain by reason thereof. And the marshal shall summon such jury, and administer an oath or affirmation to them that they will, without favor or partiality to any one, to the best of their judgment, decide what damage, if any, each owner may sustain by reason of running the road through his premises; but in doing this they shall take into consideration the benefit it may be to him or her by enhancing the value of his or her land, or otherwise, and give their verdict accordingly. It shall be the duty of the marshal, upon receiving the order from the court, to give the owner or owners aforesaid not less than ten days' notice of the time and place of the meeting of the jury to assess their damages. In cases where notice cannot be served on the owner or owners, the same proceedings shall be had as is provided in this section in the case of minors. The jury, having been upon the premises and assessed the damages, shall make out a written verdict, to be signed by them, or a majority of them, and attested by the marshal, which the marshal shall transmit to the court at its next session, and which shall be recorded. If the court or any owner or owners of the land aforesaid are dissatisfied with the verdict thus rendered, and no arrangement being made between the court and the said owner or owners, the court shall

Second jury.

order the marshal to summon a second jury of twelve judicious, disinterested men, not related to any one interested, to meet and view the premises, giving the parties interested at least ten days' notice of the time and place of meeting. And the marshal and jury shall proceed as before directed in regard to the first jury. And the verdict, signed by each of the jurors, or a majority of them, shall be returned to the court at its next session, and recorded as final and conclusive, and the road shall then be declared a public road, and the court shall order it to be opened as such. And the same mode of proceeding shall be observed in cases where application shall be made to the court by the residents of the county to lay out a new, or alter any existing road. In all cases where the land through which it is proposed to run a road shall belong to a minor or minors, it shall be presumed that objection is made, and the damages assessed accordingly. In all cases where it becomes necessary to summon a second jury to assess damages, if the amount assessed by the second jury shall not be greater than the amount assessed by the first, the costs of the second jury shall be paid by the party or parties objecting to the first verdict; but if greater, they shall be paid by the county. All expenses up to the second jury shall be paid by the county.

Costs.

Marshal's fees.

MARSHAL'S FEES.

Summoning jurors.

For summoning each juror the marshal shall be entitled to fifty cents.

Travel.

For travel, per mile, going and coming to the premises to be examined, twelve and a half cents.

Attendance.

For each day's attendance, two dollars and fifty cents.

JUROR'S FEES.

Juror's fees.

For each day's attendance, two dollars.

Materials for making or repairing road, how procured.

SEC. 9. *And be it further enacted*, That in any case where materials of any kind shall be deemed necessary for making or repairing a public road, if the levy court cannot agree with the owner as to their purchase, the said court may proceed in the same manner for condemning said materials as in cases of condemnation of land for the purposes of a public road, as is provided for in the next preceding section of this act.

SEC. 10. *And be it further enacted*, That said levy court shall have full power to make sanitary rules and regulations in said county, to abate nuisances, and to pass such ordinances as it may deem necessary for their condemnation and removal, and for the punishment of persons creating them or suffering them to exist on their premises; which punishment shall not exceed a fine of twenty dollars, for the use of the county, or imprisonment in the county jail thirty days for each offence. Said levy court shall also have power to pass such ordinances as it may deem necessary to effectually prevent Sabbath-breaking in said county by hunting, gaming, fishing, or otherwise, on Sunday; to prohibit the killing of such game as said court may think proper during certain periods; to regulate fishing in the waters of said county, and to provide for sufficient penalties for the violation thereof. And it shall be the duty of the metropolitan police of the District of Columbia to enforce any and all of the ordinances of the said levy court in the same manner as they are now required to enforce the ordinances of the cities of Washington and Georgetown; the funds required for that purpose to be paid by said levy court from the county treasury. And from and after the passage of this act the duties of county constable shall be confined exclusively to the service of civil process and the collection of strictly private debts within the said District of Columbia. And each of the county constables holding office at the time of the passage of this act, and each of said constables hereafter appointed, shall, before performing any duties required to be performed in his said office, take the oath of allegiance required by the act of July second, eighteen hundred and sixty-two, in addition to any oath of office required of him at the time, and shall moreover enter into a bond to the United States in the sum of five thousand dollars, with security to be approved by the clerk of the circuit court, conditioned for the faithful performance of the duties of his office, and for the punctual payment of all moneys coming into his hands to the persons entitled to receive the same, and shall renew the said bond on the thirty-first day of June in every alternate year of his continuance in office.

Court may make sanitary rules and regulations, abate nuisances, &c.

Sabbath-breaking.

Regulations as to game.

Fishing.

Metropolitan police to enforce ordinances of levy court, &c.

Limit of power of county constable.

County constables to take oath of allegiance.

Bond.

Renewal.

SEC. 11. *And be it further enacted*, That the act entitled "An act to authorize the levy court to issue tavern and other licenses in the District of Columbia," approved June twelfth, eighteen hundred and sixty, be so extended as to authorize the levy court to grant licenses to wholesale and retail dealers in goods, wares, or merchandise in the county of Washington outside the limits of the cities of Washington and Georgetown, under such restrictions and penalties as the said levy court may deem expedient.

Levy court may grant licenses, &c.

1860, ch. 115. *Ante*, p. 29.

SEC. 12. *And be it further enacted*, That fines, under any of the ordinances of the levy court, may be recovered in the name, and for the use, of said levy court, before any magistrate of said county of Washington, and the person or persons against whom a fine may be imposed shall pay the same at the time it is so imposed with costs, or give security for the payment of such fine and costs, as required by the sixth section of an act entitled "An act to amend 'An act to create a metropolitan police district of the District of Columbia, and to establish a police therefor,'" approved August six, eighteen hundred and sixty-one, or shall stand committed till the whole is paid.

Fines, how recovered.

1861, ch. 62. *Ante*, p. 320. 1862, ch. 181, § 6. *Ante*, p. 581.

SEC. 13. *And be it further enacted*, That all laws inconsistent with this act are hereby repealed.

Repealing clause.

APPROVED, March 3, 1863.

CHAP. CVII. — *An Act supplementary to an Act entitled "An Act for the Relief of Persons for Damages sustained by Reason of Depredations and Injuries by certain Bands of Sioux Indians," approved February sixteenth, eighteen hundred and sixty-three.* March 3, 1863. 1863, ch. 37. *Ante*, p. 652.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the above Act applicable to all damages, &c.,

in Iowa and Da- entitled act be, and the same are hereby, applied to all damages sustained
kota. by reason of depredations and injuries by said Indians as therein set forth,
in the State of Iowa and Territory of Dakota, as well as in the State of
Minnesota.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CVIII. — *An Act to regulate the Duties of the Clerk of the House of Representa-
tives in preparing for the Organization of the House.*

Duty of clerk
in organizing the
House of Repre-
sentatives.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That before the first meeting of the next Congress, and of every subsequent Congress, the clerk of the next preceding House of Representatives shall make a roll of the representatives elect, and place thereon the names of all persons and of such persons only, whose credentials show that they were regularly elected in accordance with the laws of their states respectively, or the laws of the United States.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CIX. — *An Act amendatory of an Act entitled "An Act to provide for the Care and Preservation of the Works constructed by the United States for bringing the Potomac Water into the Cities of Washington and Georgetown, for the Supply of said Water for all Govern[men]tal Purposes, and for the Uses and Benefit of the Inhabitants of the said Cities."*

1859, ch. 84.
Vol. xi. p. 435.

Corporation of
Washington may
levy, &c., water-
tax.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in addition to the powers conferred upon the corporation of Washington by the second and third sections of the act of Congress, approved March three, eighteen hundred and fifty-nine, [entitled] "An act to provide for the care and preservation of the works constructed by the United States for bringing the Potomac water into the cities of Washington and Georgetown, for the supply of said water for all governmental purposes, and for the uses and benefit of the inhabitants of the said cities," full power and authority are hereby given to the said corporation to levy and collect a water-tax on all real property within the corporate limits of the city of Washington which binds on or touches on any avenue, street, or alley in which a main water-pipe has been laid or hereafter may be laid by the United States or by the corporation of Washington, which water-tax shall be as nearly as possible equal and uniform; may be levied on lots in proportion to their frontage or their area, as the said corporation may determine; and may be collected in not less than three nor more than five annual instalments, of which instalments all after the first shall bear interest at the rate of six per centum per annum, commencing from the date of [at] which the first instalment becomes due, but may, at the option of the owner of the property taxed, be paid and discharged in full at any time after it shall have been levied. And the said corporation of Washington is further authorized and empowered, on petition of the owners of the majority of the real estate on any square or line of squares, to lay down water-pipes and erect fire-plugs and public hydrants wherever the same may be requisite and necessary for public convenience, security from fire, or for health.

Tax to be uni-
form.

How levied and
collected.

Water-pipes,
fire-plugs, and
public hydrants.

Fire-plug tax.

SEC. 2. *And be it further enacted,* That, to aid in the erection, maintenance, and efficiency of fire-plugs throughout the city, the said corporation of Washington is hereby authorized and empowered to levy and collect a special annual tax on all buildings within five hundred feet of any main water-pipe into which, or the premises connected therewith, the water has not been introduced, and the owners or occupants of which do not pay an annual water-rate or rent in accordance with the ordinances of the corporation, which tax shall be levied with reference to the value of the building so taxed, and shall be not more than five dollars nor less than

one dollar per year ; but whenever the water shall be introduced, in conformity with the corporation laws, into any building or premises, the fire-plug tax thereon shall cease ; and whenever the water shall be discontinued from any building or premises into which it has been introduced, the said building shall be subject to the fire-plug tax from the date of the discontinuance of the water.

Fire-plug tax.

SEC. 3. *And be it further enacted,* That the water-tax hereby authorized to be levied and collected shall constitute a fund to be used exclusively to defray the cost of distribution of the water, including all necessary fixtures and machines connected with said distribution ; and the annual water rates or rents authorized to be collected by the act of which this act is amendatory shall constitute a fund exclusively for the maintenance, management, and repair of the system of water distribution.

Water-tax, &c., to constitute a fund to defray cost of distribution of water.

APPROVED, March 3, 1863.

CHAP. CX. — *An Act to extend the Charter of the Alexandria and Washington Railroad Company, and for other Purposes.*

March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Alexandria and Washington Railroad Company be, and the same is hereby, authorized to extend their said railroad from the south side of the Potomac across said river, to and along Maryland avenue to the Capitol grounds, and across Pennsylvania avenue along First street to Indiana avenue, and thence to the Baltimore and Ohio depot ; and that all the ordinary rights, privileges, and liabilities, incident to similar corporations are conferred upon said company for that purpose : *Provided, however,* That the same shall be subject to alterations, amendment, or repeal : *And provided, further,* That the cars shall not be drawn on the streets aforesaid, or on the structure across the Potomac River mentioned in the second section of this act, by steam power without the consent of Congress and of the corporate authorities of the city of Washington thereto : *And provided, further :* That said company shall be authorized to charge and receive rates of freights and fares not exceeding five cents for each person transported and for each ton conveyed on said road so extended : *And provided, also,* That no person shall be excluded from the cars on account of color.

The Alexandria and Washington R. R. Company may extend its road.

When steam power may be used.

Rate of freight and fares.

No person to be excluded from cars on account of color.

SEC. 2. *And be it further enacted,* That the said company are hereby empowered to make such additional structure or passage way along either side of the Potomac bridge as may render the same safe for public use, and so as not to hinder the general use of said bridge for ordinary travel, which shall be ascertained by one or more experienced civil engineers, who shall report, by proper surveys and estimates, to the Secretary of the Interior for his approval ; the whole cost of which surveys and construction of said additional bridge for the purposes aforesaid to be paid by the said company. And the said company shall construct such draws as shall correspond with those now in use on the said bridge, and of such model as shall be determined by the Secretary of the Interior, and which shall afford reasonable facilities for navigation on the Potomac River.

Additional structure along the Potomac bridge.

Draws.

SEC. 3. *And be it further enacted,* That the said company shall keep that portion of the avenues or streets occupied by their road in good repair, and provided with suitable crossways, at the proper places, for vehicles and wheeled carriages, and for general use. The track of said road shall be laid as nearly in the centre of the street and avenues through which it passes, as may be, without interfering with the water mains and gas pipes, and the speed of travel shall be subject to such regulations as the corporate authorities of the city of Washington shall, from time to time, prescribe, under such penalties as the said corporate authorities shall impose : *Provided, however,* That the rights and privileges

Corporation to keep portion of avenues in repair

Track, where laid.

Speed of travel

Military use of the road not to be interfered with.

herein granted shall confer no authority or right to interfere with the United States military use or possession of said road or contemplated extension during the present rebellion, or to any claim for damages or indemnification therefor.

Real and personal estate of corporation.

SEC. 4. *And be it further enacted*, That the said company may acquire and hold such real and personal estate as the practical use and working of said road may require, under such regulations, and subject to such taxation, as is imposed by law on similar property located in the city of Washington.

When act takes effect.

SEC. 5. *And be it further enacted*, That this act take effect from the time of its passage.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. CXI.—*An Act to Incorporate the National Academy of Sciences.*

National Academy of Sciences incorporated. Corporators.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Louis Agassiz, Massachusetts; J. H. Alexander, Maryland; S. Alexander, New Jersey; A. D. Bache, at large; F. B. Barnard, at large; J. G. Barnard, United States army, Massachusetts; W. H. C. Bartlett, United States Military Academy, Missouri; U. A. Boyden, Massachusetts; Alexis Caswell, Rhode Island; William Chauvenet, Missouri; J. H. C. Coffin, United States Naval Academy, Maine; J. A. Dahlgren, United States navy, Pennsylvania; J. D. Dana, Connecticut; Charles H. Davis, United States navy, Massachusetts; George Engelmann, St. Louis, Missouri; J. F. Frazer, Pennsylvania; Wolcott Gibbs, New York; J. M. Gilles, United States navy, District of Columbia; A. A. Gould, Massachusetts; B. A. Gould, Massachusetts; Asa Gray, Massachusetts; A. Guyot, New Jersey; James Hall, New York; Joseph Henry, at large; J. E. Hilgard, at large, Illinois; Edward Hitchcock, Massachusetts; J. S. Hubbard, United States naval observatory, Connecticut; A. A. Humphreys, United States army, Pennsylvania; J. L. Le Conte, United States army, Pennsylvania; J. Leidy, Pennsylvania; J. P. Lesley, Pennsylvania; M. F. Longstreth, Pennsylvania; D. H. Mahan, United States Military Academy, Virginia; J. S. Newberry, Ohio; H. A. Newton, Connecticut; Benjamin Peirce, Massachusetts; John Rodgers, United States navy, Indiana; Fairman Rogers, Pennsylvania; R. E. Rogers, Pennsylvania; W. B. Rogers, Massachusetts; L. M. Rutherford, New York; Joseph Saxton, at large; Benjamin Silliman, Connecticut; Benjamin Silliman, junior, Connecticut; Theodore Strong, New Jersey; John Torrey, New York; J. G. Totten, United States army, Connecticut; Joseph Winlock, United States Nautical Almanac, Kentucky; Jeffries Wyman, Massachusetts; J. D. Whitney, California, their associates and successors duly chosen, are hereby incorporated, constituted, and declared to be a body corporate, by the name of the National Academy of Sciences.

Number of ordinary members.

Power of corporation.

Election of members, &c.

Annual meeting.

Investigations, examinations, &c., on subjects of science or art.

SEC. 2. *And be it further enacted*, That the National Academy of Sciences shall consist of not more than fifty ordinary members, and the said corporation hereby constituted shall have power to make its own organization, including its constitution, by-laws, and rules and regulations; to fill all vacancies created by death, resignation, or otherwise; to provide for the election of foreign and domestic members, the division into classes, and all other matters needful or usual in such institution, and to report the same to Congress.

SEC. 3. *And be it further enacted*, That the National Academy of Sciences shall hold an annual meeting at such place in the United States as may be designated, and the academy shall, whenever called upon by any department of the Government, investigate, examine, experiment, and report upon any subject of science or art, the actual expense of such investigations, examinations, experiments, and reports, to be paid from appro-

priations which may be made for the purpose, but the academy shall receive no compensation whatever for any services to the Government of the United States. Expenses thereof.

APPROVED, March 3, 1863.

CHAP. CXII. — *An Act to establish the Gauge of the Pacific Railroad and its Branches.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the gauge of the Pacific railroad and its branches throughout their whole extent, from the Pacific coast to the Missouri River, shall be, and hereby is, established at four feet eight and one half inches. Gauge of Pacific railroad and branches. Ante, p. 495.

APPROVED, March 3, 1863.

CHAP. CXIII. — *An Act to enable the District Courts of the United States to issue Executions and other final Process in certain Cases.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases wherein the district courts of the United States within and for the several districts of Texas, Florida, Wisconsin, Minnesota, Iowa, and Kansas had rendered final judgments or decrees prior to the passage of an act entitled "An act to amend the act of the third of March, eighteen hundred and thirty-seven, entitled 'An act supplementary to the act entitled an act to amend the judicial system of the United States,'" approved July fifteenth, eighteen hundred and sixty-two, which cases might have been brought, and could have been originally cognizable in a circuit court, said district courts shall have power to issue writs of execution or other final process, or to use such other powers and proceedings as may be in accordance with law, to enforce the judgments and decrees aforesaid, anything in said act of the fifteenth of July, eighteen hundred and sixty-two, to the contrary notwithstanding. Certain district courts to issue executions, &c., in certain cases. 1837, ch. 34. Vol. v. p. 176. 1862, ch. 178. Ante, p. 576.

APPROVED, March 3, 1863.

CHAP. CXIV. — *An Act to provide for issuing an American Register to the Steam-vessel "Maple Leaf."* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be issued, under the direction of the Secretary of the Treasury, an American register to the British colonial built steam-vessel "Maple Leaf," now owned by Charles Spear and J. H. B. Lang, of Boston, in the State of Massachusetts. American register to issue to steamer "Maple Leaf."

APPROVED, March 3, 1863.

CHAP. CXV. — *An Act relating to the Validity of Deeds of Public Squares and Lots in the City of Washington.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no deed or conveyance heretofore made, in pursuance of law, of squares or lots of public land in the city of Washington, by the commissioner of public buildings, or any other authorized officer, shall be deemed invalid in law, for the want of an acknowledgment by said commissioner or other authorized officer before such judicial officers as deeds of real property made between individuals are required by law to be acknowledged. Deeds of public squares, &c., by any authorized public officer, not to be invalid for want of acknowledgment.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CXVI. — *An Act to grant the Right of Preëmption to certain Purchasers on the "Soscol Ranch," in the State of California.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it may and shall be lawful for the commissioner of the general land-office to cause the lines of the public surveys to be extended over the tract of country known as the "Soscol Ranch," in California, the claim to which by Don Mariana Gaudalupe Vallejo has been adjudged invalid by the supreme court of the United States, and to have approved plats thereof duly returned to the proper district land-office: *Provided,* That the actual cost of such survey and platting shall first be paid into the surveying fund by settlers, according to the requirements of the tenth section of the act of Congress, approved thirtieth of May, eighteen hundred and sixty-two, "to reduce the expenses of the survey and sale of the public lands in the United States."

Lines of public surveys to be extended over the Soscol Ranch in California.

Cost of survey, &c., to be first paid.

1862, ch. 86, § 10.

Ante, p. 410.

Certain individuals may enter at \$1.25 the acre.

Municipal claims.

1844, ch. 17.

Vol. v. p. 657.

Claims to be presented within twelve months.

Adjudication thereon.

Claims not so brought to be barred, and lands to be treated as public lands.

Reserved and mineral lands excepted.

SEC. 2. *And be it further enacted,* That after the return of such approved plats to the district office, it may and shall be lawful for individuals, bona fide purchasers from said Vallejo, or his assigns, to enter, according to the lines of the public surveys, at one dollar and twenty-five cents per acre, the land so purchased, to the extent to which the same had been reduced to possession at the time of said adjudication of said supreme court, joint entries being admissible by coterminous proprietors to such an extent as will enable them to adjust their respective boundaries.

SEC. 3. *And be it further enacted,* That municipal claims within the limits of the said "Soscol Ranch" may be entered under the terms, limitations, and conditions of the town-site act of twenty-third of May, eighteen hundred and forty-four.

SEC. 4. *And be it further enacted,* That all claims within the purview of this act shall be presented to the register and receiver within twelve months after the return of such surveys to the district land-office, accompanied by proof of bona fide purchase under Vallejo, of settlement, and the extent to which the tracts claimed had been reduced into possession at the time of said adjudication; and thereupon each case shall be adjudged by the register and receiver under such instructions as shall be given by the commissioner of the general land-office, to whom the proof and adjudication shall be returned by the local land-office, and no adjudication shall be final until confirmed by the said commissioner.

SEC. 5. *And be it further enacted,* That any claim not brought before the register and receiver within twelve months, as aforesaid, shall be barred, and the lands covered thereby, with any other tracts within the limits of said "Soscol Ranch," the titles to which are not established under this act, shall be dealt with as other public lands: *Provided,* That no entry shall be made of lands reserved and occupied for military, naval, or other public uses, or which may be designated for such purposes by the President, nor shall any claim under this act extend to mineral lands.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CXVII. — *An Act to provide a temporary Government for the Territory of Idaho.*

Territory of Idaho established.

Boundaries.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the following limits, to wit: Beginning at a point in the middle channel of the Snake River where the northern boundary of Oregon intersects the same; then follow down said channel of Snake River to a point opposite the mouth of the Kooskooskia, or Clear Water River; thence due north to the forty-ninth parallel of latitude; thence east along said parallel to the twenty-seventh degree of longitude west of Washington; thence south along said degree of longitude to the northern boundary of Colorado Territory; thence west along said

boundary to the thirty-third degree of longitude west of Washington; thence north along said degree to the forty-second parallel of latitude; thence west along said parallel to the eastern boundary of the State of Oregon; thence north along said boundary to place of beginning. And the same is hereby created into a temporary government, by the name of the Territory of Idaho: *Provided*, That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing said Territory or changing its boundaries in such manner and at such time as Congress shall deem convenient and proper, or from attaching any portion of said Territory to any other state or territory of the United States: *Provided, further*, That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribes, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any state or territory; but all such territory shall be excepted out of the boundaries, and constitute no part of the Territory of Idaho, until said tribe shall signify their assent to the President of the United States to be included within said Territory, or to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty, law, or otherwise, which it would have been competent for the Government to make if this act had never passed.

Boundaries
may be changed.

Indian rights
not impaired.

SEC. 2. *And be it further enacted*, That the executive power and authority in and over said Territory of Idaho shall be vested in a governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The governor shall reside within said Territory, and shall be commander-in-chief of the militia, and superintendent of Indian affairs thereof. He may grant pardons and respites for offences against the laws of said Territory, and reprieve for offences against the laws of the United States until the decision of the President of the United States can be made known thereon; he shall commission all officers who shall be appointed to office under the laws of the said Territory, and shall take care that the laws be faithfully executed.

Executive
power of terri-
tory.
Governor.

SEC. 3. *And be it further enacted*, That there shall be a secretary of said Territory, who shall reside therein, and shall hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all laws and proceedings of the legislative assembly hereinafter constituted, and all the acts and proceedings of the governor in his executive department; he shall transmit one copy of the laws and journals of the legislative assembly within thirty days after the end of each session, and one copy of the executive proceedings and official correspondence semiannually, on the first days of January and July in each year, to the President of the United States, and two copies of the laws to the President of the Senate and to the Speaker of the House of Representatives for the use of Congress; and in case of the death, removal, resignation, or absence of the governor from the Territory, the secretary shall be, and he is hereby, authorized and required to execute and perform all the powers and duties of the governor during such vacancy or absence, or until another governor shall be duly appointed and qualified to fill such vacancy.

Secretary.

When to act as
governor.

SEC. 4. *And be it further enacted*, That the legislative power and authority of said Territory shall be vested in the governor and a legislative assembly. The legislative assembly shall consist of a council and house of representatives. The council shall consist of seven members having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The house of representatives shall,

Legislative
power.

Assembly.
Council.

House of representatives. at its first session, consist of thirteen members possessing the same qualifications as prescribed for the members of the council, and whose term of service shall continue one year. The number of representatives may be increased by the legislative assembly, from time to time, to twenty six, in proportion to the increase of qualified voters; and the council, in like manner, to thirteen. An apportionment shall be made as nearly equal as practicable among the several counties or districts for the election of the council and representatives, giving to each section of the Territory representation in the ratio of its qualified voters as nearly as may be. And the members of the council and of the house of representatives shall reside in, and be inhabitants of, the district or county, or counties, for which they may be elected respectively. Previous to the first election, the governor shall cause a census or enumeration of the inhabitants and qualified voters of the several counties and districts of the Territory to be taken by such persons and in such mode as the governor shall designate and appoint, and the persons so appointed shall receive a reasonable compensation therefor. And the first election shall be held at such time and places, and be conducted in such manner both as to the persons who shall superintend such election and the returns thereof, as the governor shall appoint and direct; and he shall, at the same time, declare the number of members of the council and house of representatives to which each of the counties or districts shall be entitled under this act. The persons having the highest number of legal votes in each of said council districts for members of the council shall be declared by the governor to be duly elected to the council; and the persons having the highest number of legal votes for the house of representatives shall be declared by the governor to be duly elected members of said house: *Provided*, That in case two or more persons voted for shall have an equal number of votes, and in case a vacancy shall otherwise occur in either branch of the legislative assembly, the governor shall order a new election; and the persons thus elected to the legislative assembly shall meet at such place and on such day as the governor shall appoint; but thereafter the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the council and house of representatives, according to the number of qualified voters, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the legislative assembly: *Provided*, That no session in any one year shall exceed the term of forty days, except the first session, which may continue sixty days.

Apportionment.

Census.

First election.

Plurality of votes to elect.

Subsequent elections.

Length of sessions of assembly.

Voters at first election,

at subsequent elections.

Legislative power.

Taxes.

Veto power of governor.

SEC. 5. *And be it further enacted*, That every free white male inhabitant above the age of twenty-one years, who shall have been an actual resident of said Territory at the time of the passage of this act, shall be entitled to vote at the first election, and shall be eligible to any office within the said Territory; but the qualifications of voters, and of holding office, at all subsequent elections, shall be such as shall be prescribed by the legislative assembly.

SEC. 6. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of this act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States, nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents. Every bill which shall have passed the council and house of representatives of the said Territory shall, before it becomes a law, be presented to the governor of the Territory; if he approve, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, who shall enter the objections at large upon their journal and proceed to reconsider it. If, after such reconsideration, two thirds of that house shall agree to pass the bill, it

shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered; and if approved by two thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, to be entered on the journal of each house respectively. If any bill shall not be returned by the governor within three days (Sunday excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the assembly, by adjournment, prevent its return; in which case it shall not be a law: *Provided*, That whereas slavery is prohibited in said territory by act of Congress of June nineteenth, eighteen hundred and sixty-two, nothing herein contained shall be construed to authorize or permit its existence therein.

Veto power.

Slavery.
1862, ch. 111.
Ante, p. 432.

SEC. 7. *And be it further enacted*, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the governor and legislative assembly of the Territory of Idaho. The governor shall nominate and, by and with the advice and consent of the legislative council, appoint all officers not herein otherwise provided for; and in the first instance the governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the legislative assembly, and shall lay off the necessary districts for members of the council and house of representatives, and all other officers.

Township, district, and county officers.

SEC. 8. *And be it further enacted*, That no member of the legislative assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased, while he was a member, during the term for which he was elected, and for one year after the expiration of such term; but this restriction shall not be applicable to members of the first legislative assembly; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the legislative assembly, or shall hold any office under the government of said Territory.

Members of legislative assembly not to hold, &c., certain offices.

Who may not be member of the assembly, or hold office.

SEC. 9. *And be it further enacted*, That the judicial power of said territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually; and they shall hold their offices during the period of four years, and until their successors shall be appointed and qualified. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court at such times and places as may be prescribed by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of justices of the peace, shall be limited by law: *Provided*, That justices of the peace shall not have jurisdiction of any matter in controversy when the title or boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars; and the said supreme and district courts, respectively, shall possess chancery as well as common-law jurisdiction. Each district court, or the judge thereof, shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exceptions, and appeals, shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law. The supreme court, or the justices thereof, shall appoint its own clerk, and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decisions of said supreme court shall be allowed, and may be taken to the supreme court

Judicial power.

Supreme court.

District courts and districts.

Justices of the peace.

Chancery powers.

Clerks of court.

Writs of error, &c.

Clerks.

Writs of error, &c.

Writs of error, of the United States, in the same manner and under the same regulations
 appeals. as from the circuit courts of the United States, where the value of the
 property or the amount in controversy, to be ascertained by the oath or
 affirmation of either party, or other competent witnesses, shall exceed one
 thousand dollars, except that a writ of error or appeal shall be allowed to
 the supreme court of the United States from the decision of the said
 supreme court created by this act, or of any judge thereof, or of the dis-
 trict courts created by this act, or of any judge thereof, upon any writs of
 habeas corpus involving the question of personal freedom. And each of
 the said district courts shall have and exercise the same jurisdiction, in all
 cases arising under the Constitution and laws of the United States, as is
 vested in the circuit and district courts of the United States; and the
 first six days of every term of said courts, or so much thereof as shall be
 necessary, shall be appropriated to the trial of causes arising under the
 said Constitution and laws; and writs of error and appeal in all such
 cases shall be made to the supreme court of said Territory, the same as in
 other cases. The said clerks shall receive, in all such cases, the same
 fees which the clerks of the district courts of Washington Territory now
 receive for similar services.

Jurisdiction of
 district courts.

Precedence of
 trials.

Fees of clerks.

Attorney.

Marshal.

Appointment
 of territorial
 officers.

Oath of office.

Salaries.

SEC. 10. *And be it further enacted,* That there shall be appointed an
 attorney for said territory, who shall continue in office four years, and
 until his successor shall be appointed and qualified, unless sooner removed
 by the President of the United States, and who shall receive the same
 fees and salary as the attorney of the United States for the present Terri-
 tory of Washington. There shall also be a marshal for the Territory ap-
 pointed, who shall hold his office for four years, and until his successor
 shall be appointed and qualified, unless sooner removed by the President
 of the United States, and who shall execute all processes issuing from the
 said courts when exercising their jurisdiction as circuit and district courts
 of the United States; he shall perform the duties, be subject to the same
 regulations and penalties, and be entitled to the same fees as the marshal
 of the district court of the United States for the present Territory of
 Washington, and shall, in addition, be paid two hundred dollars annually
 as a compensation for extra services.

SEC. 11. *And be it further enacted,* That the governor, secretary, chief
 justice, and associate justices, attorney, and marshal, shall be appointed
 by the President of the United States, by and with the advice and con-
 sent of the Senate. The governor and secretary to be appointed as
 aforesaid, shall, before they act as such, respectively, take an oath or
 affirmation before the district judge or some justice of the peace in the
 limits of said Territory duly authorized to administer oaths and affirma-
 tions by the laws now in force therein, or before the chief justice or some
 associate justice of the supreme court of the United States, to support
 the Constitution of the United States, and faithfully to discharge the duties
 of their respective offices, which said oaths, when so taken, shall be certi-
 fied by the person by whom the same shall have been taken; and such
 certificates shall be received and recorded by the said secretary among
 the executive proceedings; and the chief justice and associate justices,
 and all civil officers in said Territory, before they act as such, shall take a
 like oath or affirmation before the said governor or secretary, or some
 judge or justice of the peace of the Territory, who may be duly commis-
 sioned and qualified, which said oath or affirmation shall be certified and
 transmitted by the person taking the same to the secretary, to be by him
 recorded as aforesaid; and afterwards the like oath or affirmation shall
 be taken, certified, and recorded in such manner and form as may be pre-
 scribed by law. The governor shall receive an annual salary of two
 thousand five hundred dollars, the chief justice and associate justices
 shall receive an annual salary of two thousand five hundred dollars, the
 secretary shall receive an annual salary of two thousand dollars; the said

salaries shall be paid quarter-yearly, from the dates of the respective appointments, at the treasury of the United States; but no payment shall be made until said officers shall have entered upon the duties of their respective appointments. The members of the legislative assembly shall be entitled to receive four dollars each per day, during their attendance at the sessions thereof, and four dollars each for every twenty miles' travel in going to and returning from said sessions, estimated according to the nearest usually travelled route, and an additional allowance of four dollars per day shall be paid to the presiding officer of each house for each day he shall so preside. And a chief clerk, one assistant clerk, one engrossing and one enrolling clerk, a sergeant-at-arms and doorkeeper may be chosen for each house; and the chief clerk shall receive four dollars per day, and the said other officers three dollars per day, during the session of the legislative assembly; but no other officers shall be paid by the United States: *Provided*, That there shall be but one session of the legislative assembly annually, unless, on an extraordinary occasion, the governor shall think proper to call the legislative assembly together. There shall be appropriated annually the usual sum to be expended by the governor to defray the contingent expenses of the Territory, including the salary of the clerk of the executive department; and there shall also be appropriated annually a sufficient sum, to be expended by the secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the legislative assembly, the printing of the laws, and other incidental expenses; and the governor and secretary of the Territory shall, in the disbursement of all moneys intrusted to them, be governed solely by the instructions of the Secretary of the Treasury of the United States, and shall, semi-annually, account to the said Secretary for the manner in which the aforesaid moneys shall have been expended; and no expenditure shall be made by said legislative assembly for objects not specially authorized by the acts of Congress making the appropriations, nor beyond the sums thus appropriated for such objects.

Pay of members of the assembly.

Clerks and other officers of the assembly.

One session of the assembly annually, unless, &c.

Appropriations.

Disbursement of moneys.

Expenditure.

SEC. 12. *And be it further enacted*, That the legislative assembly of the Territory of Idaho shall hold its first session at such time and place in said Territory as the governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the governor and legislative assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible: *Provided*, That the seat of government fixed by the governor and legislative assembly shall not be at any time changed, except by an act of the said assembly duly passed, and which shall be approved, after due notice, at the first general election thereafter, by a majority of the legal votes cast on that question.

First session of legislative assembly.

Seat of government.

SEC. 13. *And be it further enacted*, That a delegate to the House of Representatives of the United States, to serve for the term of two years, who shall be a citizen of the United States, may be elected by the voters qualified to elect members of the legislative assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the delegates from the several other territories of the United States to the said House of Representatives; but the delegate first elected shall hold his seat only during the term of the Congress to which he shall be elected. The first election shall be held at such time and places, and be conducted in such manner as the governor shall appoint and direct; and at all subsequent elections the times, places, and manner of holding the elections shall be prescribed by law. The person having the greatest number of legal votes shall be declared by the governor to be duly elected, and a certificate thereof shall be given accordingly. That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Idaho as elsewhere within the United States.

Delegate to the House of Representatives.

Constitution and laws extended over the Territory.

Public lands in the Territory. SEC. 14. *And be it further enacted,* That when the lands in the said Territory shall be surveyed, under the direction of the government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said territory shall be, and the same are hereby, reserved for the purpose of being applied to schools in said Territory, and in the states and territories hereafter to be erected out of the same.

School sections reserved.

Judicial districts and assignments of judges. SEC. 15. *And be it further enacted,* That, until otherwise provided by law, the governor of said Territory may define the *define the* judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and also appoint the times and places for holding courts in the several counties or subdivisions in each of said judicial districts, by proclamation to be issued by him; but the legislative assembly, at their first or any subsequent session, may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

Officers to give security for moneys intrusted to them for disbursement. SEC. 16. *And be it further enacted,* That all officers to be appointed by the President of the United States, by and with the advice and consent of the Senate, for the Territory of Idaho, who, by virtue of the provisions of any law now existing, or which may be enacted by Congress, are required to give security for moneys that may be intrusted with them for disbursement, shall give such security at such time and in such manner as the Secretary of the Treasury may prescribe.

Treaties, &c., with Indian tribes, to be faithfully observed. SEC. 17. *And be it further enacted,* That all treaties, laws, and other engagements made by the Government of the United States with the Indian tribes inhabiting the Territory embraced within the provisions of this act, shall be faithfully and rigidly observed, anything contained in this act to the contrary notwithstanding; and that the existing agencies and superintendencies of said Indians be continued with the same powers and duties which are now prescribed by law, except that the President of the United States may, at his discretion, change the location of the office of said agencies or superintendents.

Agencies and superintendencies continued.

Location may be changed.

APPROVED, March 3, 1863.

March 3, 1863. CHAP. CXVIII. — *An Act making Appropriations for the Naval Service for the Year ending June thirty, eighteen hundred and sixty-four, and for other Purposes.*

Appropriation. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and they are hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, for the year ending the thirtieth of June, eight-hundred and sixty-four:

Pay of officers and men. For pay of commission, warrant, and petty officers and seamen, including the engineer corps of the navy, fourteen million seven hundred and thirty-four thousand three hundred and thirty-two dollars and seventy cents.

Construction and repair. For the construction and repair of vessels of the navy, nine million two hundred and ninety-eight thousand dollars.

Purchase, &c., of additional steamers, &c. For the purchase and building of additional steamers, repairs of same, charter of vessels, extra labor and materials, and repairs of vessels on foreign stations, fifteen millions of dollars.

Armor-plated sea steamers of iron. For two armor-plated sea-steamers of iron of the first class, three million dollars: *Provided,* That no contract shall be entered into for the construction of said steamers until after public advertisement for proposals to build the same, published for at least thirty days in two daily newspapers of general circulation, published in each of the cities of Washington, New York, Boston, and Philadelphia, prior to such contract being made.

Contract to be made only after advertisement, &c.

For the purchase of hemp and other materials for the navy, three hundred and twenty thousand dollars.	Hemp, &c.
For fuel for the navy, and for the transportation and expenses thereof, two million six hundred and ninety thousand dollars.	Fuel.
For the equipment of vessels in the navy, viz :	Equipment.
For the purchase of various articles of equipment, canvas, leather, cables, and anchors, and furniture, and stores, in the masters', boatswains', and sailmakers' departments, two million dollars.	
For provisions for commission, warrant, and petty officers and seamen, including engineers and marines attached to vessels for sea service, five million four hundred and seventeen thousand seven hundred and forty-five dollars.	Provisions.
For construction and repair of machinery for vessels in commission, five million seven hundred and seventy-five thousand dollars.	Construction, &c. of machinery.
For surgeons' necessaries and appliances for the sick and hurt of the navy, including the engineer and marine corps, one hundred and fifty-seven thousand five hundred dollars.	Surgeons' necessaries and appliances.
For cannon of all descriptions, field and boat howitzers, gun-carriages, shot, shell, and equipment of all kinds, powder, purchase of nitre, small arms, ordnance labor at navy yards, freight, transportation, books, inspecting instruments, watchmen, assistants for fabrication and inspection of guns, and contingent expenses of ordnance and ordnance bureau, six millions three hundred thousand dollars.	Ordnance, ordnance stores, &c.
For three powder-tugs at Boston, New York, and Philadelphia, and repairs of ordnance steamboat, forty thousand dollars.	Powder-tugs.
For repairs and additions to ordnance machinery in shops, and for the establishment by purchase or hire of two magazines, and repairs and additions thereto, one hundred and fifty thousand dollars.	Ordnance machinery.
For pay of photographer for ordnance bureau, three hundred dollars.	Photographer.
For compass stations and magnetic deviations, books, binnacles, flags, signals, logs, sand-glasses, leads, longitudes, tables of navigation, determination of meridian distances, and experiments with night-signals, one hundred and forty-nine thousand dollars.	Compass stations, &c.
For contingent expenses of the navy, one hundred thousand dollars.	Contingent expenses.
<i>Bureau of Yards and Docks.</i> — For contingent expenses that may accrue for the following purposes, viz: For the freight and transportation of materials and stores for yards and docks; for dockage; for printing and stationery; for books, maps, models, and drawings; for the purchase and repair of fire-engines; for machinery of every description, and the patent right to use the same; for the repair of steam-engines, and attendance on the same in the navy yards; for docking vessels; for the purchase and maintenance of horses and oxen and driving teams; for carts and timber wheels, and workmen's tools of every description, and repairing the same; for postage of letters on public service; for furniture for government houses; for coals and other fuel; for candles and oil for use of navy yards and stations; for cleaning and clearing up yards; for supply of water at navy yards for navy yard purposes; for flags, awnings, and packing-boxes; for watchmen, and for incidental labor at navy yards not applicable to any other appropriation, six hundred and seventy-nine thousand dollars.	Bureau of yards and docks. Contingent expenses.
<i>Bureau of Equipment and Recruiting.</i> — For contingent expenses that may accrue for the following purposes, viz: Expenses of recruiting; travelling expenses of officers; transportation of men; printing and stationery; advertising in newspapers; postage on public letters; wharfage and demurrage; funeral expenses; apprehending deserters; pilotage and towage of vessels, and assistance to vessels in distress; per diem pay to persons attending courts-martial, courts of inquiry, and other services authorized by law; pay to judge advocates, and for bills of health and quarantine expenses of vessels of the navy, one million dollars.	Bureau of equipment and recruiting. Contingent expenses.

Bureau of navigation.
Contingent expenses.

Bureau of construction and repair.
Contingent expenses.

Bureau of provisions and clothing.
Contingent expenses.

Bureau of medicine and surgery.
Contingent expenses.

Marine Corps.
Pay.

Rations and clothing, and bounties.
Provisions.

Clothing.

Fuel.

Military stores.

Transportation.

Repairs of barracks and rent of offices.
Contingencies.

Contingencies.

Marine barracks at Mare Island.

Navy Yards.

Portsmouth.

Bureau of Navigation.— For contingent expenses of the bureau of navigation, one thousand dollars.

Bureau of Construction and Repair.— For contingent expenses, viz: For transportation of materials; printing, stationery, books, models, drawings, postage, and miscellaneous items, fifty thousand dollars.

Bureau of Provisions and Clothing.— For contingent expenses, viz for candles; freight to foreign stations; transportation from station to station within the United States; cooerage; pay of assistants to inspectors; advertising for proposals; printing paymasters' blanks; and stationery for cruising vessels, three hundred thousand dollars.

Bureau of Medicine and Surgery.— For contingent expenses of the bureau of medicine and surgery, forty thousand dollars.

Marine Corps.— For pay of non-commissioned officers, musicians, privates, clerks, messengers, steward and nurse, and servants; for rations and clothing for officers' servants; additional rations to officers for five years' service; for undrawn clothing and rations, and bounties for reenlistments, seven hundred and ninety thousand seven hundred and eighty-three dollars and eighty cents.

For provisions, one hundred and thirty-five thousand nine hundred and twenty-six dollars.

For clothing, two hundred thousand two hundred and seventy-six dollars and seventy-six cents.

For fuel, thirty-one thousand four hundred and thirty dollars and seventy-five cents.

For military stores, viz: Pay of mechanics, repair of arms, purchase of accoutrements, ordnance stores, flags, drums, lifes, and other instruments, fifteen thousand dollars.

For transportation of officers, their servants, troops, and expenses of recruiting, twenty-two thousand dollars.

For repairs of barracks, and rent of offices where there are no public buildings for that purpose, eight thousand dollars.

For contingencies, viz: Freight, ferriage, toll, cartage, wharfage; purchase and repair of boats; compensation to judges advocate; per diem for attending courts-martial, courts of inquiry, and for constant labor; house rent in lieu of quarters; burial of deceased marines; printing, stationery, postage, telegraphing; apprehension of deserters; oil, candles, gas; repairs of gas and water fixtures; water rent, forage, straw, barrack furniture; furniture for officers' quarters; bed sacks, spades, shovels, axes, picks, carpenters' tools; keep of a horse for the messenger; pay of matron, washerwoman, and porter at the hospital head-quarters; repairs to fire-engine; purchase and repair of engine-hose; purchase of lumber for benches, mess-tables, and bunks; repairs to public carryall; purchase and repair of harness; scavenging, galleys, cooking-stoves, and ranges; stoves where there are no grates; gravel for parade-grounds; repair of pumps; furniture for staff and commanding officers' offices; brushes, brooms, buckets, paving, and for other purposes, forty-five thousand dollars.

For the construction of marine barracks at Mare Island, California, one hundred thousand dollars, or so much thereof as may be necessary: *Provided, nevertheless,* That said money shall not be expended until the plans for said barracks shall have been submitted to and approved by the Secretary of the Navy.

NAVY YARDS.

Portsmouth, New Hampshire.— For boat-house and carpenters' shop paint shop; Bishop's derrick; railway; knee-dock-wall; repairs of floating dry-dock, and repairs of all kinds, one hundred and thirty-two thousand three hundred and sixty-two dollars.

For rebuilding porter's house at Portsmouth navy yard, two thousand dollars.

Boston. — For repairing around dry-dock and relaying surface water drains, joiners' shop and painters' loft; extension of shear wharf; additional expenses on house for heavy forging hammer, and for repairs of all kinds, two hundred and seventy-eight thousand five hundred and sixty-six dollars. Navy Yards.
Boston.

New York. — For continuation of quay wall; for new foundry; drains, paving, and flagging; water pipes and hydrants; filling low place; repairs of dry-dock; chain cable shop; railways; officers' houses; machinery for machine shop, foundry; boiler shop and pattern shop; for large chuck-lathe, for turning large rings for turrets on gun batteries, and for repairs of all kinds, three hundred and seventy-seven thousand and eleven dollars. New York.

For building floating dry-dock at navy yard, New York, seven hundred and fifty thousand dollars: *Provided, That if, after examination and survey, the Secretary of the Navy shall deem it expedient.* Floating dry-dock.
Proviso.

Philadelphia. — For repairs of all kinds, twenty-eight thousand eight hundred dollars. Philadelphia.

Washington. — For Bishop's derrick; depot for coal for steamers; machinery and tools; and for repairs of all kinds, one hundred and thirty-one thousand eight hundred and seventy-one dollars. Washington.

Mare Island, California. — For completing officers' houses; grading and paving; foundry, machine shop and equipment; completing Bishop's derrick; repairs of sectional dock; fitting up boiler shop in smithery; portable engines, with machinery for hoisting for yard purposes; cistern and holder for gas-works; saw-mill; commencing stables; commencing coal-house and wharf; commencing sea-wall on west side of island, and repairs of all kinds, three hundred and sixty-six thousand three hundred and sixty-three dollars. Mare Island.

Sackett's Harbor — For repairs of all kinds, one thousand five hundred dollars. Sackett's Harbor.

Navy Yard, Norfolk — For repairs of dry-dock, and pumps, and general repairs, eighty-five thousand dollars. Norfolk.

HOSPITALS.

Boston. — For repairs of hospital and grounds at Chelsea, two thousand five hundred dollars. Hospitals.
Boston.

New York. — For repairs and improvements; repairs and increase of apparatus in laboratory; and for temporary addition to hospital accommodations, twenty-two thousand dollars. New York.

Philadelphia Asylum and Hospital. — For furniture and repairs; house cleaning and whitewashing; repairs to furnaces, grates, and ranges; gas and water rent; improvement of chapel and grounds; for library of asylum; and for hospital and repairs of all kinds, two thousand nine hundred dollars. Philadelphia asylum and hospital.

For support of beneficiaries, thirty thousand dollars.

Norfolk. — For the support and repair of the naval hospital at Norfolk for the remainder of the current fiscal year, and for the years eighteen hundred and sixty-three and eighteen hundred and sixty-four, eighteen thousand five hundred dollars. Norfolk.

Mound City. — For supporting hospital, repairs, rent, and furniture at Mound City, Illinois, seventeen thousand five hundred dollars. Mound City.

Mare Island, California. — For commencing hospital, twenty-five thousand dollars. Mare Island.

MAGAZINES.

Portsmouth, New Hampshire. — For ordnance, timber shed, and store-house for howitzers, thirty-one thousand five hundred and twenty-two dollars. Portsmouth.

Boston. — For repairs of building and care of grounds, two thousand dollars. Boston

Civil establish-
ment of navy
yards.

Salary of civil
engineer at
Washington
navy yard, and
of bureau of
yards and docks.

Contingencies
Naval Academy.
Naval Observ-
atory.

For pay of superintendents, naval constructors, and all the civil establish-
ment of the several navy yards and stations, one hundred and six
thousand seven hundred and eighty-four dollars: *Provided*, That here-
after the salary of the civil engineer at the Washington navy yard shall
be two thousand dollars a year, and the salary of the civil engineer of
the bureau of yards and docks shall be three thousand dollars.

For expenses of watchmen and others, and contingencies of the United
States Naval Academy, twenty-four thousand eight hundred and eighty-
one dollars.

Naval Observatory. — For the purchase of nautical instruments, repairs
of the same, and of astronomical instruments, and for the purchase of
nautical books, maps, and charts, and for backing and binding the same,
twenty-three thousand dollars.

For wages of instrument maker, watchman, porter, and laborers; for
keeping grounds in order, and repairs to buildings and enclosures; for
fuel, lights, freights, transportation, and postage, and stationery, and inci-
dental expenses, twelve thousand dollars.

American Nauti-
cal Almanac.

For preparing for publication the American Nautical Almanac, twenty-
five thousand eight hundred and fifty dollars.

Certificates to
officers, crew, &c.,
of the Congress
and Cumberland
to be paid.

SEC. 2. *And be it further enacted*, That there shall be paid, out of
any money in the treasury not otherwise appropriated, the several certi-
ficates issued by the accounting officers of the Treasury Department to the
officers, sailors, marines, and crews of the Congress and Cumberland, and
other persons provided for by the act of April second, eighteen hundred
and sixty-two, entitled "An act to provide for the equitable settlement of
the accounts of the officers and crews of the frigate Congress and other
vessels."

1862, ch. 52.
Ante, p. 375.

Temporary
appointments of
acting assistant
paymasters and
ensigns confirm-
ed until, &c.

SEC. 3. *And be it further enacted*, That the second section of the act
entitled "An act for the temporary increase of the Navy," approved July
twenty-four, eighteen hundred and sixty-one, shall be so construed that
the temporary appointments made, or which may be made, of acting as-
sistant paymasters and acting ensigns, are hereby ratified and confirmed as
temporary acting appointments until the return of the vessels in which
they are respectively employed, or until the suppression of the present
insurrection, as may be deemed necessary; and the rate of compensation
allowed for the several grades specified, is hereby legalized and approved.

1861, ch. 13.
Ante, p. 272.

Pay.

Purchase of
flour for the navy.

SEC. 4. *And be it further enacted*, That the Secretary of the Navy be,
and he is hereby, authorized to purchase in such manner as he shall deem
most advantageous to the Government, the flour required for naval use;
and to have the bread for the navy baked from this flour by special con-
tract under naval inspection.

Baking bread.

Assistant pay-
master attached
to war vessel al-
lowed a clerk.

SEC. 5. *And be it further enacted*, That every assistant paymaster
attached to a vessel of war shall be allowed a clerk, with the compensa-
tion and privileges which would be given by law to the clerk of a pay-
master if attached to the same vessel: *Provided*, That clerks shall not be
allowed to paymasters or assistant paymasters in vessels having comple-
ments of less than one hundred, excepting in supply steamers or store-
ships.

Proviso.

Pay of boat-
swains, gunners,
carpenters, and
sailmakers.

SEC. 6. *And be it further enacted*, That the act to increase and regulate
the pay of the navy of the United States, approved June first, eighteen
hundred and sixty, be so construed as it respects boatswains, gunners,
carpenters, and sail-makers of the navy, as to allow to those officers such
arrears of pay, or difference of pay, as they would be entitled to, had
their sea-service been computed from the dates of their appointments or
entry into the service, in their respective grades, instead of the date of
their warrants.

1860, ch. 67.
Ante, pp. 23, 26.

APPROVED, March 3, 1863.

CHAP. CXIX. — *An Act for the Removal of the Sisseton, Wahpaton, Medawakanton, and Wahpakoota Bands of Sioux or Dakota Indians, and for the Disposition of their Lands in Minnesota and Dakota.*

March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized and hereby directed to assign to and set apart for the Sisseton, Wahpaton, Medawakanton, and Wahpakoota bands of Sioux Indians a tract of unoccupied land outside of the limits of any state, sufficient in extent to enable him to assign to each member of said bands (who are willing to adopt the pursuit of agriculture) eighty acres of good agricultural lands, the same to be well adapted to agricultural purposes.

Lands outside the limits of any state to be assigned certain bands of Sioux Indians.
Quantity.

SEC. 2. *And be it further enacted,* That the several tracts of land within the reservations of the said Indians, shall be surveyed, under the direction of the commissioner of the general land-office, into legal subdivisions to conform to the surveys of the other public lands. And the Secretary of the Interior shall cause each legal subdivision of the said lands to be appraised by discreet persons to be appointed by him for that purpose. And in each instance where there are improvements upon any legal subdivision of said lands, the improvements shall be separately appraised. But no portion of the said lands shall be subject to preemption, settlement, entry, or location, under any act of Congress, unless the party preëempting, settling upon, or locating any portion of said lands shall pay therefor the full appraised value thereof, including the value of the said improvements, under such regulations as hereinafter provided.

Reservations of said Indians to be surveyed.

Legal subdivisions to be appraised.

Improvements.

When subject to preemption.

SEC. 3. *And be it further enacted,* That after the survey of the said reservations the same shall be open to preemption, entry, and settlement in the same manner as other public lands: *Provided,* That before any person shall be entitled to enter any portion of the said lands by preemption or otherwise, previous to their exposure to sale to the highest bidder, at public outcry, he shall become an actual bona fide settler thereon, and shall conform to all the regulations now provided by law in cases of preemption; and shall pay, within the term of one year from the date of his settlement, the full appraised value of the land, and the improvements thereon, to the land officers of the district where the said lands are situated. And the portions of the said reservations which may not be settled upon, as aforesaid, may be sold at public auction, as other public lands are sold, after which they shall be subject to sale at private entry, as other public lands of the United States, but no portion thereof shall be sold for a sum less than their appraised value, before the first of January, Anno Domini eighteen hundred and sixty-five, nor for a less price than one dollar and twenty-five cents per acre, until otherwise provided for by law.

After survey, lands to be open to preemption, entry, and settlement.

Who may pre-empt, &c.

What may be sold at public auction.

SEC. 4. *And be it further enacted,* That the money arising from said sale shall be invested by the Secretary of the Interior for the benefit of said Indians in their new homes, in the establishing them in agricultural pursuits: *Provided,* That it shall be lawful for said Secretary to locate any meritorious individual Indian of said bands, who exerted himself to save the lives of the whites in the late massacre, upon said lands on which the improvements are situated, assigning the same to him to the extent of eighty acres, to be held by such tenure as is or may be provided by law: *And provided, further,* That no more than eighty acres shall be awarded to any one Indian, under this or any other act.

Proceeds of sales of lands, how to be applied.

SEC. 5. *And be it further enacted,* That the money to be annually appropriated for the benefit of the said Indians shall be expended in such manner as will, in the judgment of the Secretary of the Interior, best advance the said Indians in agricultural and mechanical pursuits, and enable them to sustain themselves without the aid of the government; but no portion of said appropriations shall be paid in money to said Indians. And in such expenditure, said Secretary may make reasonable discrimination in favor of the chiefs who shall be found faithful to the Government

Annual appropriations for these Indians, how to be expended.

No part to be paid in money.

Discrimination in favor of loyal chiefs.

Indians to be subject to laws, and to rules and regulations.

They cannot make a valid civil contract, &c.

Education.

of the United States, and efficient in maintaining its authority and the peace of the Indians. Said Indians shall be subject to the laws of the United States, and to the criminal laws of the state or territory in which they may happen to reside. They shall also be subject to such rules and regulations for their government as the Secretary of the Interior may prescribe; but they shall be incapable of making any valid civil contract with any person other than a native member of their tribe, without the consent of the President. The Secretary of the Interior shall also make reasonable provision for the education of said Indians, according to their capacity and the means at his command.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. CXX. — *An Act to provide for the Collection of abandoned Property and for the Prevention of Frauds in insurrectionary Districts within the United States.*

Special agents to receive and collect abandoned or captured property in certain states.

Proviso.

Such property may be appropriated to public use, or sold at public auction in loyal States.

Bond of special agents.

Books to be kept.

Owners of such property may sue for proceeds in court of claims.

Upon what proof may recover.

Property coming into loyal states from states in insurrection, except through special agents, to be confiscated.

Proceedings for condemnation and sale.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be lawful for the Secretary of the Treasury, from and after the passage of this act, as he shall from time to time see fit, to appoint a special agent or agents to receive and collect all abandoned or captured property in any state or territory, or any portion of any state or territory, of the United States, designated as in insurrection against the lawful Government of the United States by the proclamation of the President of July first, eighteen hundred and sixty-two: *Provided,* That such property shall not include any kind or description which has been used, or which was intended to be used, for waging or carrying on war against the United States, such as arms, ordnance, ships, steamboats, or other water craft, and the furniture, forage, military supplies, or munitions of war.

SEC. 2. *And be it further enacted,* That any part of the goods or property received or collected by such agent or agents may be appropriated to public use on due appraisalment and certificate thereof, or forwarded to any place of sale within the loyal states, as the public interests may require; and all sales of such property shall be at auction to the highest bidder, and the proceeds thereof shall be paid into the treasury of the United States.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury may require the special agents appointed under this act to give a bond, with such securities and in such amount as he shall deem necessary, and to require the increase of said amounts, and the strengthening of said security, as circumstances may demand; and he shall also cause a book or books of account to be kept, showing from whom such property was received, the cost of transportation, and proceeds of the sale thereof. And any person claiming to have been the owner of any such abandoned or captured property may, at any time within two years after the suppression of the rebellion, prefer his claim to the proceeds thereof in the court of claims; and on proof to the satisfaction of said court of his ownership of said property, of his right to the proceeds thereof, and that he has never given any aid or comfort to the present rebellion, to receive the residue of such proceeds, after the deduction of any purchase-money which may have been paid, together with the expense of transportation and sale of said property, and any other lawful expenses attending the disposition thereof.

SEC. 4. *And be it further enacted,* That all property coming into any of the United States not declared in insurrection as aforesaid, from within any of the states declared in insurrection, through or by any other person than any agent duly appointed under the provisions of this act, or under a lawful clearance by the proper officer of the Treasury Department, shall be confiscated to the use of the Government of the United States. And the proceedings for the condemnation and sale of any such

property shall be instituted and conducted under the direction of the Secretary of the Treasury, in the mode prescribed by the eighty-ninth and ninetieth sections of the act of March second, seventeen hundred and ninety-nine, entitled "An act to regulate the collection of duties on imports and tonnage." And any agent or agents, person or persons, by or through whom such property shall come within the lines of the United States unlawfully, as aforesaid, shall be judged guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding one thousand dollars, or imprisoned for any time not exceeding one year, or both, at the discretion of the court. And the fines, penalties, and forfeitures accruing under this act may be mitigated or remitted in the mode prescribed by the act of March three, seventeen hundred and ninety-seven, or in such manner, in special cases, as the Secretary of the Treasury may prescribe.

1799, ch. 22,
§§ 89, 90.

Vol. i. p. 695.

Persons through whom property comes unlawfully to be punished.

Remission of penalties.
1797, ch. 13.
Vol. i. p. 506.

SEC. 5. *And be it further enacted,* That the fifth section of the "Act to further provide for the collection of the revenue upon the northern, northeastern, and northwestern frontier, and for other purposes," approved July fourteen, eighteen hundred and sixty-two, shall be so construed as to allow the temporary officers which have been or may be appointed at ports which have been or may be opened or established in states declared to be in insurrection by the proclamation of the President on the first of July, eighteen hundred and sixty-two, the same compensation which by law is allowed to permanent officers of the same position, or the ordinary compensation of special agents, as the Secretary of the Treasury may determine.

Pay of special agents at ports opened in states in insurrection.
1862, ch. 169, § 5.
Ante, p. 572.

SEC. 6. *And be it further enacted,* That it shall be the duty of every officer or private of the regular or volunteer forces of the United States, or any officer, sailor, or marine in the naval service of the United States upon the inland waters of the United States, who may take or receive any such abandoned property, or cotton, sugar, rice, or tobacco, from persons in such insurrectionary districts, or have it under his control, to turn the same over to an agent appointed as aforesaid, who shall give a receipt therefor; and in case he shall refuse or neglect so to do, he shall be tried by a court-martial, and shall be dismissed from the service, or, if an officer, reduced to the ranks, or suffer such other punishment as said court shall order, with the approval of the President of the United States.

Officers and soldiers receiving any such property, or cotton, &c., to turn the same over to special agents.

Penalty for not so doing.

SEC. 7. *And be it further enacted,* That none of the provisions of this act shall apply to any lawful maritime prize by the naval forces of the United States.

This not to apply to lawful maritime prizes.

APPROVED. March 12, 1863.

RESOLUTIONS.

Dec. 18, 1862.

[No. 1.] *A Resolution for increasing the Bond of the Superintendent of Public Printing*Superintendent
of public printing
to give bond in
\$40,000.

Whereas the amount of money which can be advanced to the superintendent of the public printing, under existing laws, is not sufficient to enable him to meet the current expenditures of his office: therefore —

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said superintendent be required to furnish a new bond in the penal sum of forty thousand dollars.

APPROVED, December 18, 1862.

Jan. 6, 1863.

[No. 2.] *A Resolution in Relation to certain Maps.*Public printer
to contract for
lithographing
certain maps, &c.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, with a view of expediting the issue of the annual report of the general land-office, the public printer is hereby authorized to contract for the lithographing of the maps of the several states and territories which may accompany the same, except in regard to the connected map accompanying the last annual report of the public lands east and west of the Mississippi, in regard to which the commissioner of the general land-office is hereby authorized to procure an engraved plate thereof, to be perfected by adding from time to time the further surveys that may be made.

APPROVED, January 6, 1863.

Engraved plate
for other map.

Jan. 13, 1863.

[No. 3.] *Joint Resolution to grant the Use of a Portion of Judiciary Square for a Free Library and Reading-Room for Soldiers.*Free library
and reading-room
for soldiers.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to grant to John A. Fowle and Elida B. Rumsey the use of a portion of the land owned by the United States, and known as "Judiciary Square," to erect thereon, free from charge to the United States, a suitable building for a soldiers' free library and reading-room for soldiers: *Provided*, That the same can be done without prejudice to the public interests, and provided that all expenses shall be borne by said Fowle and Rumsey, and that all benefits and privileges of such library and reading-room be granted to our soldiers free of charge, and that said building be removed whenever the Secretary of the Interior shall require the same to be done.*

APPROVED, January 13, 1863.

Jan. 17, 1863.

[No. 9.] *Joint Resolution to provide for the immediate Payment of the Army and Navy of the United States.*1863, ch. 73, § 3.
Ante, p. 710.

Whereas it is deemed expedient to make immediate provision for the payment of the army and navy: therefore,

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treas-

ury be, and he is hereby, authorized, if required by the exigencies of the public service, to issue on the credit of the United States the sum of one hundred millions of dollars of United States notes, in such form as he may deem expedient, not bearing interest, payable to bearer on demand, and of such denominations not less than one dollar, as he may prescribe, which notes so issued shall be lawful money and a legal tender, like the similar notes heretofore authorized in payment of all debts, public and private, within the United States, except for duties on imports and interest on the public debt; and the notes so issued shall be part of the amount provided for in any bill now pending for the issue of treasury notes, or that may be passed hereafter by this Congress.

APPROVED, January 17, 1863.

Issue of \$100,000,000 United States notes authorized. Not to bear interest. Denominations, and how payable. Legal tender, except for, &c.

[No. 10.] *A Resolution supplementary to the Act entitled "An Act to provide for the Imprisonment of Persons convicted of Crime by the Criminal Court of the District of Columbia," approved January sixteenth, eighteen hundred and sixty-three.*

Jan. 28, 1863. 1863, ch. 10. Ante, p. 635.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act entitled "An act to provide for the imprisonment of persons convicted of crime by the criminal court of the District of Columbia," approved the sixteenth day of January, eighteen hundred and sixty-three, be, and are hereby, made applicable to all persons who had been convicted of crime by the criminal court of the District of Columbia and sentenced to confinement in the penitentiary prior to the date of the act herein named, and subsequent to the transfer legalized by the fourth section thereof, and their transfer to the penitentiary at Albany, in the State of New York, in the present month, by order of the President of the United States, is likewise hereby legalized and declared valid; and the said persons so transferred shall continue in confinement in said prison until the expiration of their several terms of imprisonment, or until they shall be legally discharged or removed.

Provisions of former act extended.

Former transfer made valid.

APPROVED, January 28, 1863.

[No. 11.] *Joint Resolution tendering the Thanks of Congress to Commander John L. Worden, of the United States Navy.*

Feb. 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in pursuance of the recommendation of the President of the United States, and to enable him to advance Commander John L. Worden one grade, in pursuance of the ninth section of the act of Congress of sixteenth July, eighteen hundred and sixty-two, that the thanks of Congress be, and they are hereby, tendered to Commander John L. Worden for highly distinguished conduct in conflict with the enemy in the remarkable battle between the United States iron-clad steamer "Monitor," under his command, and the rebel iron-clad frigate "Merrimac," in March, eighteen hundred and sixty-two.

Thanks of Congress tendered to Commander John L. Worden. 1862, ch. 183, § 9. Ante, p. 584.

APPROVED, February 3, 1863.

[No. 13.] *Joint Resolution tendering the Thanks of Congress to Commodore Charles Henry Davis and other Officers of the Navy, in Pursuance of the Recommendation of the President of the United States.*

Feb. 7, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be, and they are hereby, given to the following officers of the United States navy, upon the recommendation of the President of the United States, viz: —

Thanks of Congress tendered to

Commodore Charles Henry Davis, for distinguished services in conflict

Commodore Charles Henry Davis.

with the enemy at Fort Pillow, at Memphis, and for successful operations at other points in the waters of the Mississippi River ;

Captain John A. Dahlgren.

Captain John A. Dahlgren, for distinguished service in the line of his profession, improvements in ordnance, and zealous and efficient labors in the ordnance branch of the service ;

Captain Stephen C. Rowan.

Captain Stephen C. Rowan, for distinguished services in the waters of North Carolina, and particularly in the capture of Newbern, being in chief command of the naval forces ;

Commander David D. Porter.

Commander David D. Porter, for the bravery and skill displayed in the attack on the Post of Arkansas, which surrendered to the combined military and naval forces on the tenth of January, eighteen hundred and sixty-three ;

Rear Admiral Silas H. Stringham.

Rear-Admiral Silas H. Stringham, now on the retired list, for distinguished services in the capture of Forts Hatteras and Clark ;

And that a copy of this resolution be forwarded to each of the above officers by the President of the United States.

APPROVED, February 7, 1863.

Feb. 13, 1863.

[No. 18.] *Joint Resolution to compensate the Sailors on the Gunboat "Cairo" for Loss of Clothing.*

Allowance to petty officers and crew of the gunboat "Cairo" for loss of clothing.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized, in settling the accounts of the petty officers, seamen, sailors, and others of the crew of the United States gunboat "Cairo," to allow to each a sum not exceeding fifty dollars as a remuneration for the damage they may have sustained in the loss of their clothing by the destruction of said vessel in December last.

APPROVED, February 13, 1863.

Feb. 16, 1863.

1862, ch. 49.
Ante, p. 374.

[No. 19.] *Joint Resolution to revive "An Act to secure to the Officers and Men actually employed in the Western Department, or Department of Missouri, their Pay, Bounty, and Pension, and for other Purposes."*

Commissioners to have six months to make report in.
Ante, p. 623.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of a joint resolution entitled "A resolution to suspend all payments under the act approved the twenty-fifth of March, eighteen hundred and sixty-two, entitled 'An act to secure to the officers and men actually employed in the Western Department, or Department of Missouri, their pay, bounty, and pension, and for other purposes,'" approved July twelfth, eighteen hundred and sixty-two, be, and they are hereby, revived, and the commissioners therein provided for shall be allowed six months from the passage of this resolution within which to make their report.

APPROVED, February 16, 1863.

Feb. 20, 1863.

Ante, p. 613.

[No. 20.] *A Resolution to amend the "Joint Resolution for the Payment of the Expenses of the Joint Committee of Congress, appointed to inquire into the Conduct of the War," approved the twenty-seventh January, eighteen hundred and sixty-two.*

Moneys paid by Secretary of Senate, upon the order of the joint committee on the conduct of the war, to be allowed, &c.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That any portion of the amount appropriated by the joint resolution for payment of the expenses of the joint committee of Congress appointed to inquire into the conduct of the war, approved the twenty-seventh January, eighteen hundred and sixty-two, that may have been, or shall hereafter be, allowed by the said joint committee to witnesses attending before it, or to persons employed in its service, for per diem, travel[ing], or other necessary expenses, and

paid by the Secretary of the Senate in pursuance of the order of that joint committee, shall be accordingly credited and allowed by the accounting officers of the Treasury Department.

APPROVED, February 20, 1863.

[No. 21.] *A Resolution expelling George E. Badger from the Board of Regents of the Smithsonian Institution, and appointing Louis Agassiz in his place.* Feb. 21, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That George E. Badger, a member of the board of regents of the Smithsonian Institution, who is now giving aid and comfort to the enemies of the Government, be, and is hereby, expelled from the said board, and that Louis Agassiz, of Cambridge, Massachusetts, be, and he is hereby, appointed a member of the said board to fill the vacancy occasioned by the expulsion of Mr. Badger. Smithsonian Institution. George E. Badger expelled from board of regents. Louis Agassiz appointed in his place.

APPROVED, February 21, 1863.

[No. 24.] *Joint Resolution authorizing the Appointment of a Commissioner to revise and codify the Naval Laws of the United States.* March 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to appoint (by and with the consent of the Senate) a commissioner, whose duty it shall be to revise and codify the naval laws of the United States, and report such revised code to Congress at its next session. The annual salary of said commissioner shall be three thousand dollars. Commissioner to revise and codify the naval laws of the United States. Report. Salary.

APPROVED, March 3, 1863.

[No. 25.] *Joint Resolution fixing the Pay of the Commandant of the Navy Yard at Mare Island, California.* March 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the pay of the officer of the navy assigned to the command of the navy yard at Mare Island, California, shall be the sea pay of his grade. Pay of commandant of navy yard at Mare Island.

APPROVED, March 3, 1863.

[No. 26.] *A Resolution to facilitate the Payment of sick and wounded Soldiers in the Hospitals and Convalescent Camps.* March 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the paymaster-general be, and he hereby is, authorized and directed to take immediate measures for the prompt payment of the sick and wounded soldiers in the convalescent camps, hospitals, and elsewhere, so that they may be fully paid within sixty days from and after the passage hereof. Sick and wounded soldiers in convalescent camps, &c., to be paid within sixty days.

APPROVED, March 3, 1863.

[No. 27.] *Joint Resolution to expedite the Printing of the President's Message and accompanying Documents.* March 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, instead of furnishing manuscript copies to each house of Congress, the heads of the several departments of Government be required to furnish the superintendent of the public printing with copies of the documents usually accompanying their annual reports on or before the first day of November of each year; whose duty it shall be to print, in addition to the number now required by law, two thousand copies for the use of the Senate, and five thousand for Heads of departments to furnish printer with copies of documents accompanying their annual reports by 1st November in each year. Number for Senate,

for House.
When to be
delivered.

Number of
copies of reports
proper.

No greater
number, unless
directed, &c.

Number of
bills, &c., to be
printed, not to
exceed 600, un-
less, &c.

Condensed
statement of ag-
gregate amount
of exports and
imports to be fur-
nished printer,
by 1st Novem-
ber.

Number of
copies, and how
distributed.

Number of
copies of com-
mercial relations.

Lithographing
and engraving
of over \$200, to
be awarded to
lowest bidder.

Form and style
of printing to be
determined by
the superin-
tendent.

Repeal of in-
consistent laws.

the use of the House, in volumes (bound in the usual manner) of convenient size, and to deliver the same to the proper officer of each house, respectively, on or before the third Monday in December of each year. It shall also be his duty to print for the use of each of said heads of departments one thousand copies of their said reports proper; and for the use of the commissioners of the general land-office, of Indian affairs, and of pensions, five hundred copies of each of their reports, respectively. And it shall not be lawful for said superintendent to print any greater number of said reports, nor the reports of heads of any bureau to their respective superiors, unless directed to do so by either house of Congress.

SEC. 2. *And be it further resolved*, That hereafter the number of any bill or joint resolution ordered or required to be printed by either the Senate or House of Representatives, under any rule of either house, shall not exceed six hundred, unless specially directed by the house ordering the same.

SEC. 3. *And be it further resolved*, That it shall be the duty of the Secretary of the Treasury to furnish a condensed statement of the aggregate amount of the exports to, and imports from, foreign countries to the superintendent of the public printing, on or before the first day of November of each year, who shall print and bind as soon thereafter as practicable ten thousand copies thereof, to be distributed as follows, viz: The usual number (one thousand five hundred and fifty) for the two houses of Congress; three hundred copies for the treasury department; two thousand for the use of the members of the Senate; and six thousand one hundred and fifty copies for the use of the members of the House of Representatives.

SEC. 4. *And be it further resolved*, That six thousand copies of the "Commercial Relations," annually prepared under the direction of the Secretary of State, be printed and distributed as follows, viz: The usual number (one thousand five hundred and fifty) for the houses of Congress; four hundred and fifty for the state department; two thousand for the use of the members of the Senate; and three thousand for the use of the members of the House of Representatives.

SEC. 5. *And be it further resolved*, That all lithographing and engraving, where the probable cost exceeds two hundred and fifty dollars, shall be awarded to the lowest and best bidder for the interest of the Government, after due advertisement by the superintendent of public printing, under the direction of the committee on printing.

SEC. 6. *And be it further resolved*, That the form and style in which the printing ordered by either house of Congress, or by any of the departments, shall be executed, and the size of type to be used, shall be determined by the superintendent of public printing, having proper regard to economy and workmanship.

SEC. 7. *And be it further resolved*, That all laws or parts of laws conflicting with the above provisions be, and they are hereby, repealed.

APPROVED, March 3, 1863.

March 3, 1863.

[No. 28.] *Joint Resolution providing for the Distribution of certain Public Books and Documents.*

All books and documents heretofore printed at cost of Government, except, &c., to be divided among members of present Congress.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, and all other custodians thereof, be, and are hereby, authorized and directed to cause equal distribution to be made forthwith, among the members of the two houses of the present Congress, of all books and documents heretofore printed or purchased at the cost of the Government and not actually belonging to any public library, or the library kept for use in any department of the Government, excepting, however, all such books

and documents as are embraced in any existing order for the distribution thereof among the members of either house of Congress.

APPROVED, March 3, 1863.

[No. 29.] *A Resolution giving the Thanks of Congress to Major-General William S. Rosecrans, and the Officers and Men under his Command, for their Gallantry and good Conduct in the Battle of Murfreesborough, Tennessee.* March 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the thanks of Congress be, and they are hereby, presented to Major-General William S. Rosecrans, and, through him, to the officers and men under his command, for their distinguished gallantry and good conduct at the battle of Murfreesborough, Tennessee, where they achieved a signal victory for our arms.

The thanks of Congress given to Major-General William S. Rosecrans, his officers, and men.

SEC. 2. *And be it further resolved,* That the President of the United States be requested to cause the foregoing resolution to be communicated to Major-General Rosecrans, in such terms as he may deem best calculated to give effect thereto.

This resolution to be communicated to Major General Rosecrans, &c.

APPROVED, March 3, 1863.

[No. 30.] *Joint Resolution in Relation to Telegraph Companies in the District of Columbia.* March 3, 1863.

[*Be it resolved*] *by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Independent Line of Telegraph, a corporation organized under the laws of the State of New York, for the purpose, and with the intention, of constructing a line of telegraph from Portland, Maine, to Washington city, or any other corporation or company organized according to law, to construct a line of telegraph, be permitted to use any of the highways, roads, streets, or grounds in the District of Columbia in the extension and operation of their line to, in, and through the city of Washington, and other parts of the District: *Provided, however,* That the location and construction of any such line of telegraph within the said District shall not be carried into effect without the written approval of the Secretary of the Interior and commissioner of public buildings and grounds first obtained as to the proper route and course of said line to be followed within the said District of Columbia: *And provided, further,* That the use of said highways, streets, roads, and grounds hereby granted for telegraphic purposes shall not obstruct the use and convenient occupancy of said highways, streets, roads, and grounds for public or other purposes, as the same are at present used. And all acts heretofore passed and now in force in the District of Columbia for the protection of telegraph-poles, wires, and corporations, shall be extended to any such line of telegraph.

Telegraph companies may use streets, &c., in District of Columbia.

Written approval of Secretary of the Interior, &c., to be first obtained.

Proper use of streets, &c., not to be obstructed thereby.

Such telegraph lines to be protected.

APPROVED, March 3, 1863.

[No. 31.] *A Resolution to enable the Secretary of the Treasury to obtain the Title to certain Property in the City of Denver, Colorado Territory, for the Purposes of the Branch Mint located in said Place.* March 3, 1863.

Whereas, The Secretary of the Treasury of the United States, in order to carry into effect an act entitled "An act to establish a branch mint at Denver, in the Territory of Colorado," approved April twenty-first, eighteen hundred and sixty-two, has purchased of Messrs. Clarke, Gruber, and Company, the preëm[p]tors and occupants thereof, certain city lots in said town of Denver, together with all the valuable improvements thereon:

Preamble. 1862, ch. 59. Ante, p. 382.

And whereas the said Clarke, Gruber, and Company have not, and cannot at an early day, perfect their title to said lots by entry of the same at the district land-office, for the sole reason that no such office is yet established in said district:

And whereas it is highly important for the interest of the Government to obtain at an early day the use and possession of said property to establish and open said mint, therefore,

Secretary of the Treasury to receive conveyance of rights of grantors to certain lots in Denver.

Lots to be reserved from sale, &c.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to receive and accept from said Clarke, Gruber, and Company such relinquishments and conveyances of their right or claim to said lots and property, as he, the said Secretary, shall deem sufficient for the extinguishment of any claim, right, or title which the said Clarke, Gruber, and Company may or can have thereto. And said lots and property shall thereafter be reserved from public sale, pre-emption, or homestead settlement, and shall remain the property of the United States.

APPROVED, March 3, 1863.

March 3, 1863.

[No. 32.] *Joint Resolution authorizing the Secretary of the Navy to adjust the Equitable Claims of Contractors for Naval Supplies, and regulating Contracts with the Navy Department.*

Secretary of Navy to adjust claims of contractors for naval supplies.

Proviso.

Claims to be presented within six months.

Offers of previous defaulters may be rejected.

Only one bid from any person.

Who to be received as contractors.

Bidders may be present at opening of bids.

Penalties for certain unfulfilled contracts to be released to certain contractors.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to adjust and settle the claims of contractors for naval supplies, who, during the last fiscal year ending thirtieth June, eighteen hundred and sixty-two, have furnished to the department more than one hundred per centum above the quantities specified in their contracts and without default therein; and for the purpose of hearing said claims may associate with the chief of the bureau with which the contract was made the chief of any other bureau, subject to an appeal to said Secretary from their decision: *Provided,* That no contractor shall be allowed, except upon the excess over the stipulated quantity and one hundred per centum in addition thereto, and upon such excess not more than sufficient to make the price thereon equal to the fair market value of the supplies at the time and place of delivery; nor shall any contractor be allowed any amount under this section unless there has been an actual loss to the contractor upon the whole contract: *And provided, further,* That all claimants under any such contracts shall present their claims to the department within six months after the passage of this joint resolution, or be forever barred from any equitable claim on account of said contracts.

SEC. 2. *And be it further resolved,* That the chief of any bureau of the Navy Department, in contracting for naval supplies, shall be at liberty to reject the offer of any person who, as principal or surety, has been a defaulter in any previous contract with the Navy Department; nor shall parties who have failed as principals or sureties in any former contract be received as sureties on other contracts; nor shall the copartners of any firm be received as sureties for such firm or for each other; nor, in contracts with the same bureau, shall one contractor be received as surety for another; and every contract shall require the delivery of a specified quantity, and no bids having nominal or fictitious prices shall be considered. That if more than one bid be offered by any one party, by or in the name of his or their clerk, partner, or other person, all such bids may be rejected; and no person shall be received as a contractor who is not a manufacturer of, or regular dealer in, the articles which he offers to supply, who has not a license as such manufacturer or dealer. And all persons offering bids shall have the right to be present when the bids are opened and inspect the same.

SEC. 3. *And be it further resolved,* That the Secretary of the Navy be, and he is hereby, authorized to release and discharge the penalties, or the provisions in the nature of penalties, in certain cases of unfulfilled

contracts with the bureau of construction and of provisions and clothing of the Navy Department, made by Nathaniel W. Coffin, William Lang, Henry Newton, Baxter and Sumner, and Tilton, Wheelwright, and Company, for the fiscal year ending thirtieth of June, eighteen hundred and sixty-two, made prior to the proclamation of the President establishing blockades of the southern ports, or to the several acts of Congress passed subsequent thereto, imposing additional duties upon domestic and foreign products, wherein, by reason of said acts and failure of the Government to pay according to the prescribed terms, parties have been obstructed and prevented from a proper fulfilment of the same, to the end that these accounts may be settled and adjusted on terms of equity and justice; and in the settlement of such accounts, there shall be associated with the chief of the bureau in which the contract was made the chief of some other bureau of the Navy Department, and their decision shall be passed upon, modified, abridged, rejected, or approved by the Secretary of the Navy as, in his judgment, the law and justice shall require.

Certain contractors released from penalties of unfulfilled contracts.

APPROVED, March 3, 1863.

[No. 33.] *Joint Resolution authorizing the Secretary of the Treasury to issue American Registers to certain Vessels named therein.*

March 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized to issue American registers to the following named vessels: the "Marion," "Selkirk, of Winsor," "Hastings," "Ottawa," and "California," of the Oswego district in the State of New York; the "Providence," owned by A. J. Richardson, of New York, and the Canadian built steamers "City of Toronto," of Detroit, and "Blue Bonnet," of New York.

American registers to issue to the "Marion," "Selkirk, of Winsor," "Hastings," "Ottawa," "California," "Providence," "City of Toronto," "Blue Bonnet."

APPROVED, March 3, 1863.

[No. 34.] *Joint Resolution respecting the Compensation of the Judges and so forth, under the Treaty with Great Britain and other Persons employed in the Suppression of the Slave Trade.*

March 3, 1863.

Post, p. 1225.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and hereby is, authorized to expend during the fiscal year ending the thirtieth day of June, eighteen hundred and sixty-four, so much of the appropriation of second March, eighteen hundred and sixty-one, as he may deem expedient and proper, not exceeding in the whole ten thousand dollars, for compensation to United States marshals, district attorneys, and other persons employed in enforcing the laws for the suppression of the African slave-trade, for any services they may render, and for which no allowance is otherwise provided by law; and also, so much of said appropriation as may be necessary to pay the salaries of the judges and arbitrators appointed by him pursuant to the act of Congress, approved July eleven, eighteen hundred and sixty-two, entitled "An act to carry into effect the treaty between the United States and her Britannic Majesty for the suppression of the African slave-trade," and for the expenses of the mixed courts provided for by said treaty: *Provided,* That no payment shall be made to any judge or arbitrator, on account of salary, who, after accepting the office, has declined or may hereafter decline the same without having actually entered upon duty; and no judge or arbitrator shall be regarded as entitled to salary from the date of the acceptance of the office to which he has been or may be appointed, who shall not have entered upon the duties thereof in good faith within three months from the date of his acceptance.

Compensation to marshals, district attorneys, and others in suppressing the slave-trade.

Salaries of judges and arbitrators.

1862, ch. 140. Ante, p. 531.

Expenses of mixed courts Proviso.

When salary to commence.

APPROVED, March 3, 1863.

March 3, 1863. [No. 35.] *A Resolution authorizing the Collection in Coin of Postages due on unpaid Mail Matter from Foreign Countries.*

Preamble. Whereas, the failure to prepay foreign correspondence throws upon the Post Office Department of the United States large balances which have to be paid in coin, Therefore :

Postages from abroad not pre-paid to be collected as Postmaster-General deems advisable. *Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster-General be, and is hereby, authorized to take such measures as may seem to him advisable to collect postages on letters from abroad, not prepaid, in order to avoid loss in the payment of such balances.

APPROVED, March 3, 1863.

March 3, 1863. No. 36.] *A Resolution to grant the Use of a Portion of Judiciary, or Armory Square, for a Home for Destitute Newsboys in Washington.*

Trustees of home for destitute newsboys.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to grant to Professor Joseph Henry, Henry Beard, and J. W. Forney, as trustees, and their successors, the use of a portion of the Judiciary Square, or Armory Square, in the city of Washington, to erect thereon, free from charge to the United States, a suitable building for a "Home for destitute Newsboys : " *Provided,* That the same can be done without prejudice to the public interests : *And provided,* that all expenses shall be borne by said trustees in erecting, maintaining, and removing said building, and that said building shall be removed whenever the Secretary of the Interior shall require the same to be done.

Proviso.

Expenses to be borne by trustees. Building to be removed, when, &c.

APPROVED, March 3, 1863.

March 3, 1863. [No. 37.] *Joint Resolution to compensate the Crew of the United States Steamer "Monitor" for Clothing and other Property lost in the Public Service.*

Crew of the "Monitor" to be compensated for loss of their property.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized, in settling the accounts of the petty officers, seamen, and others of the crew of the United States steamer "Monitor," which was wrecked near Cape Hatteras, on or about the thirtieth day of December, eighteen hundred and sixty-two, to credit each of them with the amount of sixty dollars, to cover their losses of bedding, clothing, and other property, occasioned by the sinking of the said steamer.

APPROVED, March 3, 1863.

March 3, 1863. [No. 38.] *A Resolution in Relation to Property devised to the People of the United States by Captain Uriah P. Levy, deceased.*

Preamble.

Devise and bequest of Uriah P. Levy to the people of the United States,

Whereas, Uriah P. Levy, late a captain of the United States navy, died in the city of New York, on the twenty-second day of March, eighteen hundred and sixty-two, leaving a last will and testament, containing the following provision, to wit : "I give, devise, and bequeath my farm and estate of Monticello, in Virginia, formerly belonging to President Thomas Jefferson, together with all the rest and residue of my estate, real and personal or mixed, not hereby disposed of, wherever or however situated, to the people of the United States, or such persons as Congress shall appoint to receive it, and especially all my real estate in the city of New York, in trust for the sole and only purpose of establishing and maintaining at said farm of Monticello, in Virginia, an agricultural school, for the purpose of educating, as prac-

for an agricultural school.

tical farmers, children of the warrant office[rs] of the United States navy whose fathers are dead," subject to certain conditions therein mentioned, Therefore:—

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney-General be authorized and empowered to ascertain the facts in relation to the devise and bequest aforesaid, and report the same, with his opinion as to the validity of the same, and such recommendations as he may think proper to make in reference thereto to the next Congress.

Attorney General to ascertain and report the facts.

APPROVED, March 3, 1863.

PRIVATE ACTS.

LIST

OF THE

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PRIVATE ACTS OF THE THIRTY-SIXTH CONGRESS

OF THE

UNITED STATES,

Passed at the first session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the fifth day of December, A. D. 1859, and ended on Monday, the twenty-fifth day of June, A. D. 1860.

JAMES BUCHANAN, President. JOHN C. BRECKINRIDGE, Vice-President, and President of the Senate. WILLIAM PENNINGTON, Speaker of the House of Representatives.

CHAP. IV.—*An Act for the Relief of William B. Herrick.*

March 8, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be directed to place the name of William B. Herrick, late a surgeon in the first regiment of Illinois volunteers, on the pension roll at the rate of thirty dollars per month, to commence on the fourteenth day of May, eighteen hundred and fifty-eight, and to continue during his life.

Pension to William B. Herrick of \$30 a month, from May 14, 1858.

APPROVED, March 8, 1860.

CHAP. VI.—*An Act for the Relief of the legal Representative of Charles Pearson, deceased.*

March 19, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be paid to the legal representative of Charles Pearson, late of Concord, in the State of New Hampshire, deceased, the sum of one hundred and forty dollars out of any money in the treasury not otherwise appropriated, it being the amount of money paid into the United States Patent-Office by the said Pearson, whilst he was laboring under a state of insanity.

\$140 to be paid the legal representative of Charles Pearson.

APPROVED, March 19, 1860.

CHAP. XII.—*An Act for the Relief of Mary E. Castor.*

April 3, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed and authorized to place the name of Mary E. Castor, widow of First Lieutenant Thomas F. Castor, late of the United States army, on the pension roll, at the rate of twenty-six dollars sixty-six and one half cents per month, from the ninth day of December, eighteen hundred and fifty-nine, for and during her life or widowhood.

Pension to Mary E. Castor of \$26.66½ a month, from Dec. 9, 1859, during life or widowhood.

APPROVED, April 3, 1860.

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April 6, 1860.

CHAP. XIV.—*An Act for the Relief of Elizabeth M. Cocke, Widow of Major James H. Cocke, late Marshal of the District of Texas.*

Preamble.

Whereas the United States, on the twenty-ninth day of April, eighteen hundred and fifty-seven, recovered judgment against Elizabeth M. Cocke, administratrix of James H. Cocke, late marshal, and his sureties, before the district court for the eastern district of Texas, for the sum of two thousand forty-one dollars and ninety-three cents; and it being made to appear that it would be just and equitable that the collection of the said judgment should not at this time be enforced: therefore

Issuing of execution on the judgment against Elizabeth M. Cocke, to be stayed, if the sureties of James H. Cocke consent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, authorized to stay the issuance of execution on said judgment for such time as in his opinion will enable said administratrix to prosecute to final judgment a suit against Henry B. Martin, deputy marshal of said James H. Cocke, who received and embezzled the money for which said judgment in favor of the United States *versus* said Elizabeth M. Cocke, administratrix as aforesaid, was rendered: *Provided, however,* That before such stay of execution shall be granted, the securities of said James H. Cocke shall enter their consent thereto on the records of the court in which said judgment was rendered.

APPROVED, April 6, 1860.

April 6, 1860.

CHAP. XV.—*An Act for the Relief of the legal Representatives of Robert H. Morris, late Postmaster of the City of New York.*

Account of Robert H. Morris to be readjusted, and an allowance made.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Auditor of the Treasury for the Post-Office Department be authorized and directed to readjust and audit the account of Robert H. Morris, late postmaster of the city of New York, from May twenty-sixth, eighteen hundred and forty-five, to June thirtieth, eighteen hundred and forty-six, and to allow in said account all sums of money paid out by said Morris for defraying the expenses of said office within said period, including the amount paid on account of the city despatch office: *Provided,* That, in the opinion of the Postmaster-General, such expenses were properly incurred and were necessary for the business of said office. And, in addition thereto, the said Auditor shall also allow, for the same period, such sum as would make the compensation of said Morris equal to the sum of two thousand dollars per annum, as provided for by the act of eighteen hundred and twenty-five. And that said several sums, so found to be due, shall be paid to the executrix or other legal representative of said Morris, out of any money appropriated for the Post-Office Department.

APPROVED, April 6, 1860.

April 11, 1860.

CHAP. XVI.—*An Act for the Relief of the American Board of Commissioners for Foreign Missions.*

American Board of Commissioners for Foreign Missions released from certain obligations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the American Board of Commissioners for Foreign Missions be, and it hereby is, released from the obligation imposed on it by the fourth article of the treaty made between the United States and the nation of the Cherokee Indians, at New Echota, on the twenty-ninth day of December, eighteen hundred and thirty-five, which provides that the money allowed for the appraised value of the Union and Harmony Mission reservations, should be expended in schools among the Osages, and improving their condition: Upon the terms however, and provided, That the said board shall expend the said money for the same purposes, among other tribes not provided adequately with

schools, or means of improving their condition, which may seem proper in the judgment of the American Board of Commissioners for Foreign Missions, with the approval of the Secretary of the Interior.

APPROVED, April 11, 1860.

CHAP. XVII.—*An Act for the Relief of Thomas Fillebrown.*

April 11, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, directed, out of any money in the treasury not otherwise appropriated, to pay to Thomas Fillebrown, the sum of four hundred and thirty dollars, in full for salary as secretary of the Board of Commissioners of the Navy Hospital Fund, from February seventh to May sixteenth, Anno Domini eighteen hundred and twenty-seven, and for commissions on the disbursements of said fund between the years eighteen hundred and twenty-five and eighteen hundred and twenty-nine.

\$430 to be paid
Thomas Fille-
brown as secre-
tary, &c.

APPROVED, April 11, 1860.

CHAP. XVIII.—*An Act for the Relief of Lydia Frazee, Widow and Administratrix of John Frazee, late of the City of New York.*

April 11, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, directed, out of any money in the treasury not otherwise appropriated, to pay to Lydia Frazee, widow and administratrix of John Frazee, late of the city of New York, the sum of two thousand eight hundred and sixty-eight dollars; being in full for the services of the said John Frazee, as architect and superintendent of the New York custom-house, from the third day of March, Anno Domini eighteen hundred and forty-one, to the twenty-first day of May, Anno Domini eighteen hundred and forty-two.

\$2,868 to be
paid Lydia Fra-
zee.

APPROVED, April 11, 1860.

CHAP. XIX.—*An Act for the Relief of William Geiger.*

April 11, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, directed, out of any money in the treasury not otherwise appropriated, to pay to William Geiger, in full for all claims against the United States, by virtue of his contract made on the eighteenth day of October, eighteen hundred and fifty-four, at Fort Smith City, with Captain French, for lime, stone, and mason work, for and on the barrack at Fort Washita, in the Cherokee nation, the sum of four thousand and ten dollars and sixty-two cents.

\$4,010.62 to be
paid William
Geiger, in full for
claims under
contract.

APPROVED, April 11, 1860.

CHAP. XX.—*An Act for the Relief of Micajah Hawkes.*

April 11, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed and required to place the name of Micajah Hawkes, of Eastport, in the State of Maine, on the roll of invalid pensioners, and to cause him to be paid a pension, at the rate of fifteen dollars per month, being half of his pay proper, to commence with the first day of January, Anno Domini one thousand eight hundred and fifty-nine, and to continue during his natural life.

Pension to Mi-
cajah Hawkes of
\$15 a month,
from Jan. 1,
1859.

APPROVED, April 11, 1860.

April 11, 1860.

CHAP. XXI.—*An Act for the Relief of Alice Hunt, Widow of Thomas Hunt.*

Pension to Alice Hunt of \$35 a month, from Jan. 5, 1860, during life or widowhood.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Alice Hunt, widow of Captain Thomas Hunt, on the pension roll, and to pay her, at the rate of thirty-five dollars per month, from the fifth day of January, eighteen hundred and sixty, for life or widowhood.

APPROVED, April 11, 1860.

April 11, 1860.

CHAP. XXII.—*An Act for the Relief of Moses Noble.*

\$1,704.68 to be paid Moses Noble, agent for fishing bounties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be directed, out of any money in the treasury not otherwise appropriated, to pay to Moses Noble, agent for the brig "Good Hope," and the schooners Delta, Jasper, Sardine, Five Sisters, Commonwealth, and Two Brothers, for the benefit of the persons entitled thereto, the sum of one thousand seven hundred and four dollars and sixty-eight cents, the same being for fishing bounties to which said vessels became entitled in the fishing season of the year eighteen hundred and fifty-two.

APPROVED, April 11, 1860.

April 11, 1860.

CHAP. XXIII.—*An Act for the Relief of the legal Representatives of Charles Porterfield, deceased.*

Land warrants to issue to William Kinney and Thomas J. Michie, executors of Robert Porterfield.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and required to issue to William Kinney and Thomas J. Michie, executors of the last will and testament of Robert Porterfield, deceased, a number of warrants, equal to six thousand one hundred and thirty-three acres of land, according to the usual subdivisions of the public surveys, in quantities not less than forty acres; to be by them located on any of the public lands which have been or may be surveyed, and which have not been otherwise appropriated at the time of such location within any of the States or Territories of the United States where the minimum price for the same shall not exceed the sum of one dollar and twenty-five cents per acre; to be selected and located in conformity with the legal subdivisions of such surveys, and appropriated according to the directions contained in the last will and testament of the said Robert Porterfield, deceased, in the same manner and for the purposes directed in regard to the lands which were lost by the said legal representatives in the action with Clark and others, as decided by the Supreme Court of the United States.

APPROVED, April 11, 1860.

April 11, 1860.

CHAP. XXIV.—*An Act for the Relief of Charner T. Scaife, Administrator of Gilbert Stalker.*

\$5,645.16 to be paid Charner T. Scaife, for use of steamboat "James Adams."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, directed, out of any money in the treasury not otherwise appropriated, to pay to Charner T. Scaife, administrator of Gilbert Stalker, deceased, five thousand six hundred and forty-five dollars and sixteen cents in full, for the use and service of the steamboat "James Adams," belonging to said Stalker, from the first day of August, eighteen hundred and forty-one, to the ninth day of July, eighteen hundred and forty-two.

APPROVED, April 11, 1860.

CHAP. XXV.—*An Act for the Relief of Kate D. Taylor, Widow of the late Brevet Captain Oliver H. P. Taylor.* April 11, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Kate D. Taylor, widow of the late Brevet Captain Oliver H. P. Taylor, on the pension roll, at the rate of thirty-five dollars per month, from the seventeenth day of May, eighteen hundred and fifty-eight, for during life or widowhood, deducting the amount received through the office of the Third Auditor of the Treasury, at the rate of twenty-six dollars sixty-six and one half cents per month, under the fifteenth section of the act of sixteenth day of March, eighteen hundred and two.

Pension to
Kate D. Taylor,
of \$35 a month,
from May 17,
1858, during life
or widowhood.

APPROVED, April 11, 1860.

CHAP. XXVI.—*An Act for the Relief of Mariano G. Vallejo.* April 11, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, directed, out of any money in the treasury not otherwise appropriated, to pay to Mariano G. Vallejo, in full for the occupation by the troops of the United States of a building on the square of Sonoma, in California, from May thirtieth, eighteen hundred and forty-eight, to August, eighteen hundred and fifty-three, the sum of eight thousand and eight hundred dollars.

\$8,800 to be
paid Mariano G.
Vallejo, for use
of a building in
Sonoma, Cal.

APPROVED, April 11, 1860.

CHAP. XXVIII.—*An Act for the Relief of Francis Huttmann.* April 13, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to adjust the claim of Francis Huttmann for return of tonnage and light duties illegally exacted and paid by him on Peruvian, Danish, and German vessels at the port of San Francisco, California, and to pay him the amount due, with interest, at the rate of six per centum per annum, from the date of the exaction of said duties: *Provided,* That the amount so paid shall not exceed nine hundred dollars.

Claim of Francis
Huttmann to
be adjusted and
not over \$900
paid him.

APPROVED, April 13, 1860.

CHAP. XXIX.—*An Act for the Relief of Charles Knap.* April 13, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to make such modifications in the contract now in force with Charles Knap, for furnishing material for the custom-house building at New Orleans, as, in his opinion, the principles of justice may seem to demand.

Contract with
Charles Knap
may be modified

APPROVED, April 13, 1860.

CHAP. XXX.—*An Act for the Relief of Tench Tilghman.* April 14, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Tench Tilghman, out of any moneys in the treasury not otherwise appropriated, the sum of one thousand dollars, for losses sustained by him in consequence of his appointment to a consulate, which was abolished by the Spanish government while he was on his way to take charge of the same.

\$1000 to be
paid Tench
Tilghman.

APPROVED, April 14, 1860.

April 19, 1860. CHAP. XXXII.—*An Act for the Relief of Angelina C. Bowman, Widow of Francis L. Bowman, late Captain United States Army.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and directed to place the name of Mrs. Angelina C. Bowman, widow of the late Captain Francis L. Bowman of the ninth regiment of United States infantry, upon the pension roll, and to pay her at the rate of thirty dollars per month, from the thirtieth day of January, eighteen hundred and fifty-nine, to continue for life.

APPROVED, April 19, 1860.

Pension to Angelina C. Bowman of \$30 a month, from Jan. 13, 1859, during life.

April 19, 1860. CHAP. XXXIII.—*An Act for the Relief of the Heirs and legal Representatives of [of] Mark Elisha.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of Mark Elisha for four hundred arpents, entered under number three hundred and sixty-five, (register's number, one hundred and twenty-six) in the seventh class of the report dated December thirty, eighteen hundred and fifteen, of the register and receiver at Opelousas, Louisiana, be, and the same is hereby, confirmed, the said claim not being yet surveyed, but reported as embracing parts of lots numbers three and four, and south half of sections twenty-one and twenty-eight, lot number six of section twenty-seven, and lot number one of section twenty-nine in township two north, of range four east, southwestern land district of Louisiana; and it shall be the duty of the surveyor-general of Louisiana, to survey said claim, and represent the same on the official plats: *Provided,* That this act shall only be considered as a relinquishment on the part of the United States and not to interfere with any adverse valid rights to the same land.

APPROVED, April 19, 1860.

Claim of Mark Elisha to land in Louisiana confirmed.

Proviso.

April 19, 1860. CHAP. XXXIV.—*An Act authorizing the Courts to adjudicate the Claim of the legal Representatives of the Sieur de Bonne and of the Chevalier de Repentigny to certain Land at the Sault Ste. Marie, in the State of Michigan.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the legal representatives of the Sieur de Bonne and of the Chevalier de Repentigny be, and they are hereby, authorized to present their petition to the United States district court for the district of Michigan, setting forth the nature of their claim to certain land at the Sault Ste. Marie, in the State of Michigan, under an alleged grant, in seventeen hundred and fifty, from the governor and lieutenant-general and from the intendant-general of New France, now Canada, with evidence in support of their claim, stating the names, as near as may be, of all persons claiming adversely, and praying that the validity of the title may be inquired into and decided under the laws of nations, the laws, usages, and customs of the country from which the same was derived, and the treaties and laws of the United States; and the said court is hereby authorized to examine the same, and, in adjudicating the question of the validity of the title as against the United States, to be governed by the laws of nations and of the country from which the title was derived, and also by the principles, so far as they are applicable, which are recognized in the act of Congress approved the twenty-sixth May, eighteen hundred and twenty-four, "enabling the claimants to lands within the limits of the State of Missouri and Territory of Arkansas to institute proceedings to try the validity of the same;" and the district attorney is hereby directed to proceed, in defence of the interests of the United States in all things, as required and directed by the aforesaid act of twenty-sixth May, eighteen hundred and twenty-four: *Provided,* That

The legal representatives of Sieur de Bonne and the Chevalier de Repentigny may institute a suit to recover certain land in Michigan in the federal courts of that State.

1824, ch. 173.
vol. iii. p. 52.

District attorney to defend the interests of the U. S.

suit shall be instituted by the claimants within two years from the passage of this act, and that an appeal may be taken, either by the claimants or the United States, to the Supreme Court of the United States within one year from the date of the rendition of the decree of the district court aforesaid.

Suit to be brought within two years. Either party may appeal to Supreme Court.

SEC. 2. *And be it further enacted*, That in the case of a final decision under this act against the validity of the said claim, or in case of the failure of claimants to prosecute it within the period specified, the said claim shall be held forever barred, both in law and equity; but in the case of a final decree in favor of the validity of the grant, it shall not be construed to affect or in any way impair any adverse sales, claims, or other rights which have been recognized by the United States within the limits of the said claim, or which, under any law of the United States may have heretofore been brought to the notice of the land commissioners or of the land officers in Michigan, or any of the land granted to the State of Michigan, or occupied by it, for the Sault Ste. Marie canal, its tow-path and appurtenances, but for the area of any such adverse claims the legal representatives of the said De Bonne and Repentigny shall receive from the Commissioner of the General Land-Office warrants authorizing them or their assigns to enter any other lands belonging to the United States, and subject to entry at private sale at one dollar and twenty-five cents per acre, which warrants shall be for sections or legal subdivisions of sections, at the option of the parties entitled to receive them.

If decision of court is adverse to the claim.

If in favor thereof.

APPROVED, April 19, 1860.

CHAP. XXXVI.—*An Act for the Relief of Stewart McGowan.*

May 3, 1860.

Post, p. 874.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Stewart McGowan on the roll of invalid pensioners, and cause him to be paid the sum of twenty dollars per month, to commence from and after the first day of January, one thousand eight hundred and fifty-nine, and to continue during his natural life.

Pension to Stewart McGowan of \$20 a month, from Jan. 1, 1859.

APPROVED, May 3, 1860.

CHAP. XXXVIII.—*An Act for the Relief of Mrs. Anne M. Smith, Widow of the late Brevet Major-General Persifer F. Smith, Mrs. Harriet B. Macomb, Widow of Major-General Alexander Macomb, and Mrs. Arabella Reily, Widow of Brevet Major-General Bennet Reily.*

May 7, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be directed to place the name of Mrs. Anne M. Smith, widow of the late Brevet Major-General Persifer F. Smith, on the pension roll, at the rate of fifty dollars per month, from the seventeenth day of May, eighteen hundred and fifty-eight, for and during her natural life. And that the Secretary of the Interior be directed to place the name of Mrs. Harriet B. Macomb, widow of Major-General Alexander Macomb, deceased, late commanding general of the army, upon the roll of pensioners, and pay her a pension at the rate of fifty dollars per month from the date of the approval of this act. And also that the Secretary of the Interior be directed to place the name of Mrs. Arabella Reily, widow of Brevet Major-General Bennet Reily, deceased, late of the army, upon the roll of pensioners, and pay her a pension at the rate of fifty dollars per month from the date of the approval of this act.

Pension to Mrs. Anne M. Smith of \$50 a month, from May 17, 1858, for life.

Pension to Mrs. Harriet B. Macomb and to Mrs. Arabella Reily of \$50 each a month, from the date of this act.

APPROVED, May 7, 1860.

May 9, 1860. CHAP. XLL.—*An Act for the Relief of A. M. Mitchell, late Colonel of Ohio Volunteers in the Mexican War.*

Payment to be made to A. M. Mitchell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to pay, out of any money in the treasury not otherwise appropriated, to A. M. Mitchell, colonel first regiment of Ohio volunteers in the late war with Mexico, whatever amount may be ascertained to be due him for transportation from Monterey to Cincinnati, and from Cincinnati to Monterey, in eighteen hundred and forty-six, the trip not having been performed under orders, but by leave granted in consequence of temporary disability, caused by wounds received in action on twenty-first September, eighteen hundred and forty-six.

APPROVED, May 9, 1860.

May 9, 1860.

CHAP. XLII.—*An Act for the Relief of Madison Sweetzer.*

\$1,100.97 to be paid Madison Sweetzer for supplies furnished Sioux Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior cause to be paid to Madison Sweetzer the sum of eleven hundred dollars and ninety-seven cents, the balance of his account against the See-see-ton and Wah-pay-toan bands of Sioux Indians, of Minnesota, for necessary supplies heretofore furnished, examined, and verified by the honorable Governor W. A. Gorman, superintendent, and Agent R. W. Murphy, as commissioners, and the same be deducted from the annuities payable to said Indians for the year commencing on the first of July, eighteen hundred and sixty.

APPROVED, May 9, 1860.

May 9, 1860.

CHAP. XLIII.—*An Act to authorize the Issuance of Patents in the Name of James S. Douglass, upon certain Land Entries made at Chockchuma, Mississippi.*

Patents for land in Mississippi to issue to James S. Douglass.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of the General Land-Office be, and he is hereby, authorized to cancel the patents heretofore issued to James S. Coleman upon land entries number three thousand one hundred and forty-eight, three thousand one hundred and forty-nine, three thousand one hundred and fifty, three thousand one hundred and fifty-one, three thousand one hundred and fifty-two, and three thousand one hundred and fifty-three, made on the thirty-first March, eighteen hundred and thirty-five, in the former Chockchuma land district, Mississippi; and that said Commissioner be, and he is hereby, authorized and directed to issue patents for the lands embraced by said entries to James S. Douglass, Senior, in whose name said entries ought to have been carried upon the records, by the land officers at Chockchuma.

APPROVED, May 9, 1860.

May 9, 1860.

CHAP. XLIV.—*An Act for the Relief of Tilman Leak.*

\$679.67 to be refunded Tilman Leak.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior cause to be refunded to Tilman Leak the sum of six hundred and seventy-nine dollars and fifty-seven cents, the amount paid by him to the United States as purchase-money for fractional sections six and seven, in township number nineteen, range north eighteen, in Alabama, at a sale thereof, as "dead and abandoned" Indian reserves, under the Creek treaty of eighteen hundred and thirty-two, made by William Garrett, agent of the United States, on the seventh day of May, eighteen hundred and fifty-six: *Provided,* That said Tilman Leak shall first surrender any patent which

Proviso.

he may have therefor for cancellation, and release to the United States, by deed, all his claim and interest therein.

APPROVED, May 9, 1860.

CHAP. XLV.—*An Act for the Relief of Richard W. Meade.*

May 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized and directed to pay to Richard W. Meade, late a lieutenant in the United States navy, out of any money in the treasury not otherwise appropriated, the sum of five hundred and sixty-six dollars and twenty cents, being the amount of expenses incurred by him and his clerk for subsistence, while under orders of the Navy Department, and detained on shore at San Francisco, from the fifteenth of July to the thirtieth of September, eighteen hundred and forty-nine, less the amount already received by them for commutation of their rations during the same period.

\$566.20 to be paid Richard W. Meade.

APPROVED, May 9, 1860.

CHAP. XLVI.—*An Act for the Relief of George Stealey.*

May 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the account furnished by George Stealey, for services rendered and expenses incurred by him as agent, appointed by the Indian commissioners of the United States for the State of California to visit the northern tribes of Indians in said State, be, and the same is hereby, referred to the Third Auditor of the Treasury, with authority to cause the same to be settled upon principles of equity and justice, and the amount thereof to be paid out of any money in the treasury not otherwise appropriated, the said settlement to be made upon satisfactory vouchers showing that the expenses were actually incurred, and that the prices paid were just and proper under the peculiar circumstances of the case.

Account of George Stealey to be settled on principles of equity and justice.

APPROVED, May 9, 1860.

CHAP. XLVII.—*An Act for the Relief of David D. Porter.*

May 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, directed to pay to David D. Porter, a lieutenant in the navy of the United States, the sum of seven hundred and forty-three dollars, for certain extraordinary expenses incurred by him in the discharge of his duty, under the orders of the Navy Department, on special service to the island of St. Domingo; and that the same be paid out of any money in the treasury not otherwise appropriated.

\$743 to be paid David D. Porter.

APPROVED, May 9, 1860.

CHAP. LII.—*An Act for the Relief of George B. Bacon, late acting Purser of the Sloop-of-War Portsmouth.*

May 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, directed to allow to George B. Bacon, late acting purser of the sloop-of-war Portsmouth, in the settlement of his accounts, out of any money in the treasury not otherwise appropriated, the amount properly payable to a purser of a sloop-of-war, for his services as acting purser as aforesaid, during the period he acted as purser, deducting therefrom the amount paid to said Bacon, for the same period, as commander's clerk.

George B. Bacon to be allowed pay of purser, in settlement of his account.

APPROVED, May 22, 1860.

May 22, 1860.

CHAP. LIII.—*An Act for the Relief of Edward N. Kent.*

\$20,000 to be paid Edward N. Kent, for use of his apparatus for separating gold, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Edward N. Kent, of New York, out of any money in the treasury not otherwise appropriated, the sum of twenty thousand dollars in full compensation for the perpetual use in all the present and future minting establishments of the United States, of the apparatus for separating gold and other precious metals from foreign substances, of which the said Edward N. Kent is the inventor and patentee: *Provided,* The said Edward N. Kent shall have first secured to the United States the perpetual use of the said apparatus as aforesaid, to the satisfaction of the Secretary of the Treasury.

APPROVED, May 22, 1860.

May 22, 1860.

CHAP. LIV.—*An Act for the Relief of Sweeny, Rittenhouse, Fant and Company.*

Portion of preliminary deposit on bid for stock to be refunded.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to refund to Sweeny, Rittenhouse, Fant and Company so much of their preliminary deposit of one per centum made with the Treasurer of the United States upon their bid for three millions of dollars of the stock of the United States, under the advertisement of the Secretary of the Treasury, dated December seventeenth, eighteen hundred and fifty-eight, on the amount of stock unissued to them, being one per centum on the difference awarded to them of three millions and the actual amount of stock issued to them.

APPROVED, May 22, 1860.

May 22, 1860.

CHAP. LV.—*An Act for the Relief of Samuel A. West, George McCullough, Hiram McCullough, and Charles Pendergrast.*

Release from contract to deliver stone at Gosport, Va.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Samuel A. West, George McCullough, Hiram McCullough, and Charles Pendergrast be, and they are hereby, released from their liability on a contract entered into with the United States on the seventeenth day of November, eighteen hundred and fifty-six, for the delivery of stone at the navy yard at Gosport, in the State of Virginia.

APPROVED, May 22, 1860.

May 25, 1860.

CHAP. LVIII.—*An Act for the Relief of Ann Scott.*

Payment to be made to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Mrs. Ann Scott, widow of the late William B. Scott, two per centum upon such sums as he paid from the navy pension fund during the time he was navy agent at Washington.

APPROVED, May 25, 1860.

May 25, 1860.

CHAP. LIX.—*An Act for the Relief of Asenath M. Elliott, Widow of Captain Edward G. Elliott.*

\$5000 to be paid for private property wrongly taken.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and hereby is, directed to pay to Asenath M. Elliott, widow of the late Captain E. G. Elliott, of the United States army, out of any money in the treasury not otherwise appropriated, the sum of five thousand dollars, in compensation for private property applied to the payment

of a balance erroneously appearing due from the said E. G. Elliott on the books of the Treasury Department.

APPROVED, May 25, 1860.

CHAP. LXIII.—*An Act for the Relief of George F. Brott.*

May 26, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That George F. Brott be, and he is hereby, authorized to enter the following described lands, to wit: Lots numbered one, (1,) two, (2,) three, (3,) and four, (4,) and the southwest quarter of the northwest quarter, and west half of southwest quarter of fractional section thirteen; and the south half of the northeast quarter, and the southeast quarter of the northwest quarter, and the east half of the southeast quarter of section number fourteen; and the east half of the northeast quarter of section number twenty-three, and lot number one, (1,) in section twenty-four, all in township number one hundred and twenty-four north, of range number twenty-eight west, in the district of lands subject to sale at the land-office at St. Cloud, Minnesota; said tracts containing five hundred and sixty-two and twenty-hundredths acres, upon the payment by the said Brott of the usual minimum of one dollar and twenty-five cents per acre therefor: *Provided,* That said entry shall in no wise interfere with or embrace any land to which there is a valid subsisting claim under the preëmption laws of the United States; and the Commissioner of the General Land-Office is directed to issue a patent on said entry.

George F. Brott to enter certain lands in Minnesota.

APPROVED, May 26, 1860.

CHAP. LXVIII.—*An Act for the Relief of Jeremiah Pendergast.*

June 1, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, required to pay to Jeremiah Pendergast, out of any money in the treasury not otherwise appropriated, one hundred and thirty-nine dollars and ninety-one cents, being the difference of pay allowed him as a watchman on the construction of the Patent Office extension and that allowed to other watchmen.

Payment to Jeremiah Pendergast.

APPROVED, June 1, 1860.

CHAP. LXIX.—*An Act for the Relief of Mrs. Agatha O'Brien, Widow of Brevet Major J. P. J. O'Brien, late of the United States Army.*

June 1, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the treasury not otherwise appropriated, to Mrs. Agatha O'Brien, widow of Brevet Major J. P. J. O'Brien, such sums of money as may be found due to her late husband, as captain of artillery, from the thirty-first day of December, eighteen hundred and forty-nine, when he was last paid, to the thirty-first day of March, eighteen hundred and fifty, the day of his death, and that his accounts on the books of the treasury be balanced.

Payment to Agatha O'Brien.

APPROVED, June 1, 1860.

CHAP. LXX.—*An Act for the Relief of the legal Representatives of Wetonsaw, Son of James Conner.*

June 1, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to the legal representatives of Wetonsaw, son of James Conner, the sum of four hundred dollars, in full of the amount secured to said Wetonsaw in schedule

Payment to the representatives of Wetonsaw.

Vol. vii. p. 532. B of the treaty of January fourteenth, eighteen hundred and thirty-seven, with the Saginaw Chippewa Indians, out of any money in the treasury not otherwise appropriated.

APPROVED, June 1, 1860.

June 1, 1860.

CHAP. LXXI.—*An Act to grant the Right of Preëmption to a certain Tract of Land, in the State of Missouri, to the Heirs and legal Representatives of Thomas Maddin, deceased.*

Heirs, &c. of Thomas Maddin to enter certain land in Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the heirs and legal representatives of Thomas Maddin, deceased, late of the State of Missouri, be, and they are hereby, authorized to enter and purchase, at the price of one dollar and twenty-five cents per acre, a tract of land containing eight hundred arpents, or six hundred and eighty acres and fifty-six hundredths, surveyed for the said Thomas Madden, in his own right, as per patent certificate of survey number eighteen hundred and thirty-one, reported to the General Land-Office by Surveyor-General Langham as having been surveyed on the sixteenth day of March, eighteen hundred and eighteen, and situated on the waters of Joachim Creek, in township forty-one north, of range five east, of the fifth principal meridian, in the county of Jefferson and State of Missouri.

Patents to issue therefor.

SEC. 2. *And be it further enacted,* That the Commissioner of the General Land-Office be, and he is hereby, authorized and directed, upon the entry and payment aforesaid, to cause a patent, in due form of law, to be issued to the said heirs and legal representatives of the said Thomas Maddin, deceased, in conformity with the description given in patent certificate number ninety-two, as issued by Frederick Bates, then recorder in the office of "recorder of land titles" in Saint Louis, in the said State of Missouri, bearing date, at his said office, the first day of November, eighteen hundred and twenty-two, in which said certificate reference is made to the said tract of land, as having been confirmed to the said Thomas Madden, pursuant to the acts of Congress respecting claims to lands in the Territories of Orleans and Louisiana, and the Territory of Missouri, and as having been regularly surveyed on the sixteenth day of March, eighteen hundred and eighteen, and designated on the connected plat of United States surveys, in the United States surveyor-general's office at Saint Louis, Missouri, as number eighteen hundred and thirty-one, and in which said patent certificate number ninety-two it is certified that the said Thomas Maddin is entitled to receive a patent for the said tract of land, according to the said patent certificate of survey, as aforesaid, number eighteen hundred and thirty-one: *Provided, however,* That the right of preëmption and purchase herein granted shall cease at the end of two years from the date of the passage of this act, and that the right and title of the United States in and to said land shall not be affected nor impaired by virtue of any of the provisions of this act in the event of the failure of the said heirs and legal representatives of Thomas Maddin to avail themselves of said right of preëmption and purchase within the said period of two years.

APPROVED, June 1, 1860.

June 1, 1860.

CHAP. LXXII.—*An Act for the Relief of William P. Bowhay.*

Allowance of \$800 to William P. Bowhay.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of eight hundred dollars be, and the same is hereby, allowed to William P. Bowhay, for severe personal injuries received by him whilst employed by the United States on board the frigate Congress, and which rendered him a cripple

for life; the same to be paid out of any money in the treasury not otherwise appropriated.

APPROVED, June 1, 1860.

CHAP. LXXIII.—*An Act for the Relief of Mary J. Maddux.*

June 1, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Mrs. Mary J. Maddux, widow of Edward C. Maddux, of Kentucky, upon the pension roll, at the rate of eight dollars per month, commencing on the twenty-first day of May, one thousand eight hundred and fifty-eight.

Pension to
Mary J. Maddux.

APPROVED, June 1, 1860.

CHAP. LXXIV.—*An Act for the Relief of Mrs. Jane M. McCrabb, Widow of the late Captain John W. McCrabb, Assistant Quartermaster United States Army.*

June 1, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of five thousand two hundred and ninety-three dollars and ninety-six cents be paid to Mrs. Jane M. McCrabb, as administratrix of John W. McCrabb, out of any money in the treasury not otherwise appropriated, the same being allowance of commissions for disbursements of special appropriations by her late husband, Captain John W. McCrabb, prior to the thirtieth of September, one thousand eight hundred and thirty-eight; and that in the settlement of the accounts of said John W. McCrabb, the above amount be credited as of the date of its first charge.

Payment of
\$5,293.96 to Jane
M. McCrabb.

APPROVED, June 1, 1860.

CHAP. LXXV.—*An Act for the Relief of Wendell Trout.*

June 1, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and hereby is, directed to issue to Wendell Trout, of Franklin county, Kentucky, a warrant for one hundred and sixty acres of land for services rendered by him as a teamster in the military service of the United States in the Indian wars of seventeen hundred and ninety-three and seventeen hundred and ninety-four.

Warrant for 160
acres of land to
issue to Wendell
Trout.

APPROVED, June 1, 1860.

CHAP. LXXVI.—*An Act for the Relief of Braxton Bragg and Randall L. Gibson.*

June 1, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Braxton Bragg and Randall L. Gibson be, and they are hereby, confirmed in their claim to the portion of the tract of land known and designated in the surveys of the United States for the southeastern district of Louisiana as section or lot number twenty-seven, of township fourteen south, in range sixteen east, (west of the river Mississippi,) which they are now respectively in possession of, under title derived from Domingo Esteve or his heirs, and that a patent shall issue therefor, as in ordinary cases.

Braxton Bragg
and Randall L.
Gibson, con-
firmed in their
claim to land in
Louisiana, and
patent to issue
therefor.

APPROVED, June 1, 1860.

CHAP. LXXVIII.—*An Act to grant a Pension to Mary I. Harris, Widow of Colonel Thomas L. Harris, deceased.*

June 5, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper officer of the government be, and he is hereby, directed to place the name of

Pension to
Mary I. Harris
for life, from Jan.
1, 1859.

Mary I. Harris, widow of Colonel Thomas L. Harris, deceased, on the pension roll, and that said Mary I. Harris shall receive a pension for life, equal to the half-pay of a major of infantry in the Mexican war; said pension shall commence to run from the first day of January, anno Domini eighteen hundred and fifty-nine.

APPROVED, June 5, 1860.

June 7, 1860.

CHAP. LXXX.—*An Act for the Relief of M. C. Gritzner.*

Payment to be made M. C. Gritzner for damages for breach of contract.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and there is hereby, appropriated the sum of three hundred and seventy-nine dollars and seventy-seven cents, to be paid to M. C. Gritzner, out of the patent fund, for compensation and damages on account of the rescinding by the government of a contract made with the Commissioner of Patents, on the thirtieth day of March, eighteen hundred and fifty-seven, for the execution of descriptions and illustrations of the Patent Office report for that year, before the work was completed; and that the above sum, if received by the said Gritzner, shall be in full satisfaction for his claim under said contract.

APPROVED, June 7, 1860.

June 7, 1860.

CHAP. LXXXI.—*An Act for the Relief of John Scott, Hill W. House, and Samuel O. House.*

Judgment against John Scott, Hill W. House, and Samuel O. House released.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Scott, principal, and Hill W. House and Samuel O. House, sureties, be, and they are hereby, released from a judgment recovered against them by the United States, on the fourth day of April, eighteen hundred and fifty-five, in the district court for the northern district of Florida, upon a contract awarded to said John Scott, for carrying the mail upon route number three thousand five hundred and three, from New Orleans to Key West, from the fifteenth day of January, eighteen hundred and fifty-three, to the thirtieth day of June, eighteen hundred and fifty-five.

APPROVED, June 7, 1860.

June 7, 1860.

CHAP. LXXXII.—*An Act for the Relief of the surviving grandchildren of Colonel William Thompson, of the revolutionary army of South Carolina.*

Payment to grandchildren, &c., of Col. William Thompson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any money in the treasury not otherwise appropriated, to William E. Haskell, Charles T. Haskell, Charlotte Rhett, widow of James S. Rhett, Mary E. Darby, widow of A. B. Darby, Caroline Lewis, widow of Dr. John B. Lewis, Charlotte A. Goodwin, wife of Robert H. Goodwin, the grandchildren and heirs of William Thompson, who was a colonel of the third regiment of South Carolina mounted continental troops during the revolutionary war, the sum of seven thousand three hundred and eighty-eight dollars and eighty-two cents, being the half pay for life, to which their ancestor, the said William Thompson was entitled under the resolutions of Congress for his services as Colonel as aforesaid, throughout the war of the revolution, the said Colonel William Thompson having elected not to take the commutation of five years' full pay.

SEC. 2. *And be it further enacted,* That the Commissioner of Pensions be authorized and required to issue in the names of the aforesaid grandchildren of Colonel William Thompson a warrant for such an amount of bounty land as was provided for a colonel under the resolve of Congress of September sixteenth, seventeen hundred and seventy-six.

APPROVED, June 7, 1860.

CHAP. LXXXIII.—*An Act for the Relief of John W. Taylor and certain other Assignees of Preemption Land Locations.* June 7, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all assignments of preemption bounty land-warrant locations at any of the land offices in the United States, made in good faith since the nineteenth day of October, eighteen hundred and fifty-two, and prior to the twenty-first of May, eighteen hundred and fifty-six, under instructions from the Commissioner of the General Land Office of the former date, be, and the same are hereby, declared valid; and the Secretary of the Interior is hereby authorized to cause patents to be issued in the name of the assignee on all such locations as now remain suspended and have not been patented.

Assignments of certain preemption bounty land-warrants made valid and patents to issue.

APPROVED, June 7, 1860.

CHAP. LXXXVI.—*An Act for the Relief of Samuel J. Hensley.* June 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be paid to Samuel J. Hensley ninety-six thousand three hundred and seventy-five dollars for twelve hundred and eighty-five head of cattle by him actually delivered, in May, eighteen hundred and fifty-two, to the agents of the United States, for the use of the Indians in California, as found by the Court of Claims.

Payment to Samuel J. Hensley for cattle.

APPROVED, June 9, 1860.

CHAP. LXXXVII.—*An Act for the Relief of Charles James Lanman.* June 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Charles James Lanman, out of any money in the treasury not otherwise appropriated, the sum of two thousand five hundred and seventy-eight dollars and eighty-one cents, in full for his services and expenses while acting as a receiver of the United States land office at Monroe, Michigan, from eighteen hundred and twenty-three to eighteen hundred and thirty-one.

Payment to Charles James Lanman.

APPROVED, June 9, 1860.

CHAP. LXXXVIII.—*An Act for the Relief of Andrew E. Marshall.* June 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Andrew E. Marshall, of Pennsylvania, who was a private soldier in the Mexican war, upon the pension roll, at the rate of eight dollars per month, to commence from and after the passage of this act.

Pension to Andrew E. Marshall.

APPROVED, June 9, 1860.

CHAP. LXXXIX.—*An Act granting a Pension to Adelaide Adams, Widow of Commander George Adams, United States Navy.* June 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Adelaide Adams, widow of the late Commander George Adams, of the United States navy, on the pension roll, at the rate of thirty dollars per month, and to pay her a pension at that rate from the ninth day of June, Anno Domini eighteen hundred and fifty-eight, and continue during her widowhood.

Pension to Adelaide Adams.

APPROVED, June 9, 1860.

June 9, 1860. CHAP. XC.—*An Act for the Relief of the Children and Heirs of Alexander Montgomery.*

Payment of amount due under pension certificate.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to pay to the child or children, and heirs-at-law of Alexander Montgomery, late a private in the revolutionary war, the amount due said Montgomery under a pension certificate issued by the Pension Office to said Montgomery, which has not been paid to said child or children, or heirs-at-law, by reason of the death of said Montgomery a short time before the issue of said certificate.

APPROVED, June 9, 1860.

June 9, 1860.

CHAP. XCI.—*An Act for the Relief of John Dixon.*

Bounty land-warrant to issue to John Dixon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to issue a bounty land-warrant for one hundred and sixty acres, to John Dixon, of Dixon's Ferry, in the State of Illinois, for services rendered in the Black Hawk war.

APPROVED, June 9, 1860.

June 9, 1860.

CHAP. XCII.—*An Act for the Relief of Beda Hayes, Widow of Dudley Hayes, of Granby, Hartford County, Connecticut.*

Beda Hayes to have pension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be directed to place the name of Beda Hayes, widow of Dudley Hayes, of Granby, Hartford county, Connecticut, on the pension roll, at the rate of sixty dollars per annum, to commence from the first of January, eighteen hundred and sixty, and to continue during her natural life.

APPROVED, June 9, 1860.

June 9, 1860.

CHAP. XCIII.—*An Act for the Relief of Webster S. Steele.*

Webster S. Steele to have pension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be authorized and directed to place the name of Webster S. Steele, of Illinois, on the list of invalid pensioners, at the rate of eight dollars a month, commencing on the fourth day of December, eighteen hundred and fifty-seven, to continue during his lifetime.

APPROVED, June 9, 1860.

June 9, 1860.

CHAP. XCIV.—*An Act granting an Invalid Pension to Nathan Randall.*

Nathan Randall to have pension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Nathan Randall, of the State of New York, on the invalid pension roll, at the rate of eight dollars per month, and to pay him at that rate from the twelfth day of January, eighteen hundred and fifty-eight, during his natural life.

APPROVED, June 9, 1860.

June 9, 1860.

CHAP. XCV.—*An Act granting a Pension to Major John F. Hunter.*

John F. Hunter to have pension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of John F. Hunter on the list of invalid pensioners, and pay him a pension, at the rate of thirty dollars per month, from the twenty-seventh day of January,

Anno Domini eighteen hundred and fifty-eight, and continue during his natural life.

APPROVED, June 9, 1860.

CHAP. XCVI.—*An Act for the Relief of Guadalupe Estudillo de Arguello, Widow of Santiago de Arguello.* June 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to Guadalupe Estudillo de Arguello, widow of Santiago E. Arguello, late a captain in the California battalion, out of any money in the treasury not otherwise appropriated, the sum of fourteen thousand eight hundred and eighty-eight dollars, for losses of property sustained by him during the period of such service, and in consequence thereof: *Provided,* That the moneys herein appropriated shall be paid to the said Gaudalupe Estudillo de Arguello, in person, or to her heirs.

Payment to be made to Guadalupe Estudillo de Arguello.

APPROVED, June 9, 1860.

CHAP. XCVII.—*An Act for the Relief of the Widow and other Heirs of William Higgins, deceased.* June 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to cancel bounty land warrant number thirty-one thousand four hundred and seventy-four, issued on the tenth day of July, eighteen hundred and fifty-six, to William Higginson, for services rendered as a seaman in the United States navy during the war with Mexico, and to reissue the same to William Higgins, the real party for whom the bounty was intended.

Bounty land-warrant to issue to William Higgins.

APPROVED, June 9, 1860.

CHAP. XCVIII.—*An Act for the Relief of Israel Johnson.* June 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury pay to Israel Johnson, of Cass county, Indiana, out of any moneys in the treasury not otherwise appropriated, the sum of five hundred and seventy dollars.

Payment to Israel Johnson.

APPROVED, June 9, 1860.

CHAP. XCIX.—*An Act for the Relief of Shade Calloway.* June 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers allow and pay out of the treasury to Shade Calloway the sum of one thousand three hundred and fifty dollars, for work done by him on the Tennessee River, under his contract with Brevet Lieutenant-Colonel J. McClelland, dated the sixteenth of September, eighteen hundred and fifty-three, according to the account approved and certified by the agent placed in charge of said work at the death of the said officer.

Payment to be made to Shade Calloway.

APPROVED, June 9, 1860.

CHAP. C.—*An Act for the Relief of the legal Representatives of five deceased Clerks in the Philadelphia Custom-House.* June 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the treasury not otherwise appropriated, to the legal representatives of David

Payment to legal representatives of certain deceased clerks.

Gibson, John B. Shull, Eli Valette, William Bryant, and C. G. Treichel, deceased, late clerks in the Philadelphia custom-house, the sums due them, respectively, for arrears of compensation, amounting, in the aggregate, to nine thousand eight hundred and ninety-five dollars and seventeen cents, as per certified statement of said custom-house, payable out of the balance of the surplus emoluments of the collector, erroneously deposited and still remaining in the treasury, in like manner as the other eight surviving clerks in said custom-house were paid their arrears of compensation accruing during the same period, and under the same circumstances, as per report of the First Comptroller, dated seventh March, eighteen hundred and forty-six, approved by the Secretary of the Treasury.

APPROVED, June 9, 1860.

June 9, 1860. CHAP. CI.—*An Act granting a Pension to James Lacey, of Grainger County, Tennessee.*

Pension to
James Lacey.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of James Lacey, of Grainger county, Tennessee, upon the invalid pension roll at eight dollars per month, beginning on the first day of January, eighteen hundred and sixty, and to continue during the existence of his present disability.

APPROVED, June 9, 1860.

June 9, 1860. CHAP. CII.—*An Act granting a Pension to Abraham Crum.*

Pension to
Abraham Crum.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Abraham Crum, of the State of Ohio, on the invalid pension roll, and pay him a pension, at the rate of eight dollars per month, from the first day of April, Anno Domini one thousand eight hundred and fifty-eight, and continue during his natural life.

APPROVED, June 9, 1860.

June 9, 1860. CHAP. CIII.—*An Act for the Relief of Emma A. Wood, Widow of the late Brevet Major George W. F. Wood, of the United States Army.*

Pension to
Emma A. Wood.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Mrs. Emma A. Wood, of Utica, New York, widow of the late Brevet Major George W. F. Wood, of the United States army, on the pension list, at the rate of twenty-five dollars per month, to commence from and after the passage of this act, and to continue during life.

APPROVED, June 9, 1860.

June 9, 1860. CHAP. CIV.—*An Act for the Relief of W. Y. Hansell, the Heirs of W. H. Underwood, and the Representatives of Samuel Rockwell.*

Payments to be
made to W. Y.
Hansell; the
heirs of W. H.
Underwood; and
representatives
of Samuel Rock-
well.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed and required to pay to W. Y. Hansell, and the heirs of W. H. Underwood, and the legal representatives of Samuel Rockwell, thirty thousand dollars, being the balance of the sum of sixty thousand dollars reserved in the treaty between the United States and the Cherokee nation (negotiated on the twenty-ninth of December, eighteen hundred and thirty-five) for the payment of said claims, and mis-

applied by the commissioners of the United States to the payment of other claims; the said sum to be distributed in the following manner:

How to be distributed.

To W. Y. Hansell, eleven thousand one hundred and forty-six dollars;
To the heirs of W. H. Underwood, nine thousand and thirty-five dollars;

To the legal representatives of Samuel Rockwell, ten thousand one hundred and forty-four dollars.

APPROVED, June 9, 1860.

CHAP. CV.—*An Act for the Relief of Gottlieb Scheerer.*

June 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Gottlieb Scheerer be, and hereby is, acquitted and released from the payment of a certain judgment rendered against him in favor of the United States in the district court of the United States for the eastern district of Pennsylvania, in the month of June, Anno Domini eighteen hundred and fifty-seven, on a recognizance entered into by him for the appearance of one Joseph Hill; on the payment of the costs of the suit in which said judgment was rendered.

Judgment against Gottlieb Scheerer released.

APPROVED, June 9, 1860.

CHAP. CVI.—*An Act for the Relief of Anthony Schlander.*

June 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title of Anthony Schlander to the east half of the southeast quarter of section fifteen, in township thirty-four, north, of range thirteen east of the principal meridian, being in the Chicago land district, is hereby confirmed to him, and the Commissioner of the General Land Office is hereby authorized and directed to issue a patent to him therefor.

Land title of Anthony Schlander confirmed, and patent to issue.

SEC. 2. *And be it further enacted,* That all acts or parts of acts heretofore passed are hereby repealed, so far as they may, in any manner, interfere with the legal rights conferred by this act, and no further.

Repealing clause.

APPROVED, June 9, 1860.

CHAP. CVII.—*An Act for the Relief of James Phelan.*

June 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of two hundred and fifty dollars be paid to James Phelan for his services in prosecuting ——— Craig, indicted before the district federal court of the United States for the northern district of Mississippi, under the appointment of the Honorable Samuel J. Gholson, on a charge of robbing the United States mail; and that said sum be paid out of any money in the treasury not otherwise appropriated.

Payment to James Phelan.

APPROVED, June 9, 1860.

CHAP. CVIII.—*An Act for the Relief of the legal Representatives of Sylvester Day, late a Surgeon in the United States Army.*

June 9, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the legal representatives of the late Sylvester Day, a surgeon in the United States army, the sum of four hundred and twenty-six dollars, out of any money in the treasury not otherwise appropriated, in reimbursement of that sum paid for medical services at Allegheny arsenal.

Payment to representatives of Sylvester Day

APPROVED, June 9, 1860.

June 9, 1860.

CHAP. CIX.—*An Act for the Relief of the Heirs or legal Representatives of Francis Guillory.*

Land claim of heirs of Francis Guillory confirmed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the heirs or legal representatives of Francis Guillory, deceased, late of the Parish of St. Landry, in the State of Louisiana, be, and they are hereby, confirmed in their claim to that tract or parcel of lands known on the public surveys of the southwestern district of Louisiana as section number one hundred and eight, in township number four south, range number three east, and section number seventy-eight, in township number four south, of range number four east, containing about one hundred and ninety-five acres, and that a patent shall issue therefor, as in ordinary cases: *Provided,* That this act shall only be construed as a relinquishment of whatever title may now be vested in the United States of America, and shall in nowise interfere with any valid adverse claim of other or third parties.

APPROVED, June 9, 1860.

Title only of United States relinquished.

June 9, 1860.

CHAP. CX.—*An Act for the Relief of R. K. Doebler.*

Assignment of land-warrant to R. K. Doebler made valid.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assignment made by Samuel H. Dill on land-warrant for one hundred and sixty acres of land, number ten thousand one hundred and seventeen, issued fourth November, eighteen hundred and fifty-one, which assignment was made on the twenty-eighth day of November, eighteen hundred and fifty-one, to R. K. Doebler, be, and the same is hereby, legalized and made valid.

APPROVED, June 9, 1860.

June 9, 1860.

CHAP. CXI.—*An Act for the Relief of Brevet Lieutenant-Colonel Martin Burke and Captain Charles S. Winder, of the United States Army.*

Credit to be given to Martin Burke and Charles S. Winder, for \$100 each.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officer of the treasury be, and he is hereby, authorized and directed to credit the accounts of Brevet Lieutenant-Colonel Martin Burke and Captain Charles S. Winder, of the United States army, with the sum of one hundred dollars each, it being the sum they each had in their possession on board of the steamer San Francisco during the month of December, eighteen hundred and fifty-three, at which time the said steamer was lost, together with the above amounts, and which now stands charged against the said Brevet Lieutenant-Colonel Burke and Captain Winder upon the books of the treasury, it having belonged to the recruiting fund of the United States army.

APPROVED, June 9, 1860.

June 9, 1860.

CHAP. CXII.—*An Act for the Relief of Charles W. Brooks, of New York.*

Pension to Charles W. Brooks.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Charles W. Brooks, of the State of New York, on the invalid pension roll at the rate of eight dollars per month, and to pay him at that rate from the first day of January, one thousand eight hundred and sixty, and continue during his natural life.

APPROVED, June 9, 1860.

June 9, 1860.

CHAP. CXIII.—*An Act for the Relief of Peter Rogerson and Son, of St. John's, Newfoundland, owners of the British Brig "Jessie."*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State be,

and he is hereby, authorized to pay, out of any moneys in the treasury not otherwise appropriated, to Peter Rogerson and son, owners of the British brig "Jessie," for losses incurred by reason of the rescuing of the passengers and crew of the American ship "Northumberland," in the month of December, eighteen hundred and fifty-seven, when in a sinking condition, and conveying them to Cork, Ireland, the sum of seven thousand seven hundred and eighty-eight dollars and seventy-five cents, or so much thereof as may be necessary: *Provided*, That the proper proportionate part thereof, according to the number of British subjects so rescued, shall be paid by the British government.

Payment to owners of the British brig Jessie.

APPROVED, June 9, 1860.

CHAP. CXVI.—*An Act to reimburse the Corporation of Georgetown, in the District of Columbia, a Sum of Money advanced towards the Construction of the Little Falls Bridge.*

June 12, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of four thousand six hundred dollars be, and the same is hereby, appropriated, to be paid out of any money in the treasury not otherwise appropriated, to repay to the corporation of Georgetown, in the District of Columbia, all moneys heretofore advanced by the said corporation for and towards the construction of the bridge over the Potomac, at the point known as the Little Falls. And the said corporation of Georgetown, by accepting the provisions of this act, shall waive and surrender all further claim or demand on the government of the United States, founded on any advancement of money or other thing towards the object herein specified for any purpose whatsoever. This act shall commence and be in force from and after its passage.

Georgetown to be reimbursed for money advanced to construct bridge over the Potomac.

Act to take effect from its passage.

APPROVED, June 12, 1860.

CHAP. CXVII.—*An Act to incorporate the Grand Lodge of the Independent Order of Odd Fellows of the District of Columbia.*

June 12, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Thaw, George Brown, C. J. Wright, John T. Bangs, Martin Johnson, and others, the officers and members of the Grand Lodge of the Independent Order of Odd Fellows of the District of Columbia, and their successors, be, and they are hereby, incorporated and made a body politic and corporate, by the name of the Grand Lodge of the Independent Order of Odd Fellows of the District of Columbia; and by that name may sue and be sued, plead and be impleaded, in any court of law or equity, and may have and use a common seal, and the same change at pleasure, and be entitled to use and exercise the powers, rights, and privileges incident to such corporation.

Grand Lodge of Odd Fellows incorporated.

Powers of corporation.

SEC. 2. *And be it further enacted*, That the said corporation shall be capable of taking and holding real and personal estate not exceeding in value the sum of fifty thousand dollars; which estate, personal and real, shall never be divided among the members of the corporation, but shall descend to their successors, for the promotion of the benevolent purposes of said corporation.

Corporation may hold real estate, &c.

SEC. 3. *And be it further enacted*, That this corporation shall have power to alter and amend their constitution and by-laws at pleasure: *Provided*, That they do not conflict with the laws of the United States, or the laws of the corporation of Washington City.

may make, &c., by-laws;

SEC. 4. *And be it further enacted*, That said corporation shall not exercise banking privileges, or issue or put in circulation bank notes, or any note, paper, token, scrip, or device to be used as currency.

shall not issue notes, &c.

SEC. 5. *And be it further enacted*, That this act shall continue in force until Congress shall by law determine otherwise.

Act to be in force until Congress otherwise directs.

APPROVED, June 12, 1860.

June 12, 1860.

CHAP. CXVIII.—*An Act for the Relief of Smith and Hunt, of Toledo, Ohio.*Payment to
Smith & Hunt.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Smith and Hunt, of Toledo, Ohio, the sum of nine thousand two hundred and sixty-five dollars and ninety cents, out of any money in the treasury not otherwise appropriated, the same being the amount paid by said Smith and Hunt as freight and charges on railroad iron transported while in bond from New York city to Toledo, Ohio.

APPROVED, June 12, 1860.

June 12, 1860.

CHAP. CXIX.—*An Act for the Relief of Valentine Wehrheim.*Pension to Val-
entine Wehr-
heim.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Valentine Wehrheim on the roll of invalid pensioners, and pay him at the rate of twenty-five dollars per month, from and after the twenty-sixth day of January, eighteen hundred and sixty.

APPROVED, June 12, 1860.

June 13, 1860.

CHAP. CXX.—*An Act to dissolve the "Washington's Manual Labor School and Male Orphan Asylum Society of the District of Columbia," and to authorize the Transfer of its Effects to the "Columbia Institution for the Instruction of the Deaf and Dumb and the Blind."*One corpora-
tion may transfer
its funds, &c., to
the other.1842, ch. 41.
Vol. vi. p. 830.1857, ch. 46.
Vol. xi. p. 161.Deed to be re-
corded.Proviso as to
debts, &c., of old
corporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Trustees of "Washington's Manual Labor School and Male Orphan Asylum Society of the District of Columbia," incorporated by an act of Congress approved on the thirteenth day of June, eighteen hundred and forty-two, be and they are hereby authorized and empowered, by deed or other instrument in writing, to transfer all their funds and property of every description to the "Columbia Institution for the instruction of the Deaf and Dumb and the Blind," incorporated by an act of Congress approved February sixteen, eighteen hundred and fifty-seven, on such terms and conditions as may be agreed upon by said corporate bodies and incorporated in such deed or instrument of writing.

SEC. 2. *And be it further enacted,* That the said deed of transfer or instrument of writing shall be recorded in the recorder's office for land titles, in the county of Washington, and District of Columbia, and the terms and conditions of said deed shall be as obligatory upon said Columbia Institution as if they formed a part of its charter; and from the date of the record thereof, as aforesaid, the trustees of "Washington's Manual Labor School and Male Orphan Asylum Society" shall be forever thereafter absolved from their trust, and the act of June thirteen, eighteen hundred and forty-two, conferring upon them corporate powers and privileges, shall be thenceforward repealed: *Provided,* That all the debts and pecuniary liabilities of the said "Washington's Manual Labor School and Male Orphan Asylum" shall be transferred to, assumed by, and be debts of the said "Columbia Institution for the instruction of the Deaf and Dumb and the Blind," which shall be responsible therefor, and suits at law or in equity may be commenced against said last-mentioned corporation the same as if said debts had been originally incurred by it.

APPROVED, June 13, 1860.

June 13, 1860.

CHAP. CXXI.—*An Act extending the Charter incorporating the German Benevolent Society of Washington City, in the District of Columbia, approved July twenty-seventh, eighteen hundred and forty-two.*1842, ch. 81.
Vol. vi. p. 839.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage

of this act, all those persons who are, or shall hereafter become, members of the "German Benevolent Society," of the city of Washington, District of Columbia, be, and they are hereby, made a body corporate and politic, by the name and style of the "German Benevolent Society," and shall so continue until the third day of March, one thousand eight hundred and eighty; and by that name shall have perpetual succession, and by that name may sue and be sued, implead and be impleaded, answer and be answered, defend and be defended, in courts of law and equity and in all other places whatsoever; and by that name may make, have, and use a common seal, and the same may break, alter, and renew at pleasure, and shall have power to ordain, establish, and put in execution such by-laws, ordinances, and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to the laws and Constitution of the United States; and, generally, to do and execute all acts necessary or proper for the objects of said corporation, subject to the limitations of this act.

German Benevolent Society incorporated.

Powers and duties of the corporation.

SEC. 2. *And be it further enacted*, That the monthly contributions and all other moneys received on account of the society, may, from time to time, be invested in the public stocks of the United States, in loans to individuals, or in stocks of any incorporated banking institution or corporation, and the moneys so invested or that may be deposited shall be drawn out of the bank or place of deposit only on the order of the treasurer, countersigned by the secretary and approved by the president: *Provided, nevertheless*, That the said society or body politic shall not, at any one time, hold or possess property, real, personal, or mixed, exceeding in total value the sum of twenty thousand dollars: *And provided*, That the annual interest on the capital of the company, or the whole or any part of the capital, may, from time to time, be applied to aid and succor the poor and destitute of the society, or to such other charitable objects as the company may select.

Funds of the Society, how to be invested.

Limit to property.

How interest may be applied.

SEC. 3. *And be it further enacted*, That it shall not be lawful for the said corporation to deal or trade in the manner of a bank, nor issue any note in the nature of a bank note, nor transact any other kind of business, or deal in any other manner or thing than is expressly authorized by the second section of this act; and any officer or officers who shall have assented to any such dealing or trade shall, on conviction thereof in the proper court, forfeit and pay the sum of five hundred dollars, one half to the use of the poor of the city of Washington, District of Columbia, and the other half to the use of the person who may prosecute the same: *Provided, always*, That Congress may, at any time, amend, alter, or annul this act.

Corporation not to act as a bank, nor issue notes, &c., under penalty.

Congress may amend, &c., this act.

APPROVED, June 13, 1860.

CHAP. CXXII.—*An Act to Incorporate the Proprietors of Prospect Hill Cemetery.*

June 13, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Augustus E. L. Keese, John G. Stork, Fred Heider, John Walter, John Guttensohn, B. Ostermeyer, Christopher Friess, and George Shultz, the present members of the German Evangelical Society, and their successors in said society, be, and they are hereby, created a body politic and corporate, by the name and title of the Prospect Hill Cemetery, in the District of Columbia, and by that name shall have perpetual succession, and shall be able and liable to sue and be sued in any court of law and equity, may have and use a common seal, and shall have power to purchase and hold not exceeding one hundred acres of land in the District of Columbia, north of the limits of the city of Washington, [and] to sell and dispose of such parts of said land as may not be wanted for the purpose of a cemetery: *Provided*, That at least seventeen contiguous acres shall be forever appropriated and set

Prospect Hill Cemetery incorporated.

Powers and duties of corporation.

Land set apart as a cemetery, and corporation may receive bequests, &c., therefor.

Officers of corporation, their powers and duties.

Streets, &c., not to be opened through cemetery, &c.

Proviso.

Wilfully destroying or mutilating tomb, monument, fence, shrub, &c., how punished.

Officers to hold office until successors are elected.

Burial lots not subject to debts and stockholders not subject to taxation.

Return of interments to be made.

Certificate of lot to have same effect as deed.

Corporation not to issue notes, &c., as currency.

When act takes effect.

Congress may amend, &c., this act.

apart as a cemetery, with authority to said corporation to receive gifts and bequests for the purpose of ornamenting and improving said cemetery, and to hold such personal property as may be requisite to carry out this act.

SEC. 2. *And be it further enacted*, That the affairs of said corporation shall be conducted by a president, secretary, and six directors, who shall be elected annually by a majority of the votes of said society; the said president, secretary and directors to fill all vacancies in their own body, and shall have power to lay out and ornament the grounds; remove and alter old buildings and erect new ones; to lay out and sell, or dispose of burial lots; to appoint all necessary officers and agents, and fix their several duties and compensation; and to make such by-laws, rules and regulations, as they may deem proper for conducting the affairs of the corporation, for the government of lot holders and visitors to the cemetery, and for the transfer of stock, and the evidence thereof. In all elections held under this act, each proprietor shall be entitled to one vote.

SEC. 3. *And be it further enacted*, That no streets, lanes, alleys, roads, or canals, of any sort, shall be opened through the property of said corporation exclusively used and appropriated to the purpose of a cemetery: *Provided*, That nothing herein contained shall authorize said corporation to obstruct any public road, or street, or lane, or alley, now actually opened and used as such.

SEC. 4. *And be it further enacted*, That any person who shall wilfully destroy, mutilate, deface, injure, or remove any tomb, monument, gravestone or other structure placed in said cemetery, or any fence, railing or work for protection or ornament of said cemetery, or any tomb, monument, gravestone or other structure thereon, or shall wilfully destroy, cut, break, or remove any tree, shrub or plant within the limits of said cemetery, shall be considered guilty of misdemeanor, and on conviction thereof before any justice of the peace of the county of Washington, shall be punished by fine, at the discretion of the justice, according to the aggravation of the offence, of not less than five nor more than fifty dollars.

SEC. 5. *And be it further enacted*, That until an election be held under the provisions of this act, the eight last named persons in section first shall be the managers of said corporation, and that all officers shall hold their respective offices until their successors shall be elected or appointed.

SEC. 6. *And be it further enacted*, That burial lots in said cemetery shall not be subject to the debts of the stockholders thereof, and the land of the company dedicated to the purpose of a cemetery shall not be subject to taxation of any kind.

SEC. 7. *And be it further enacted*, That the said corporation shall provide for the return, from time to time, to the corporation of Washington, reports of all interments made in said cemetery of persons who may have died within the limits of the said corporation of Washington, in such manners and according to such forms as may be prescribed, from time to time, by the corporation of Washington.

SEC. 8. *And be it further enacted*, That a certificate under seal of the corporation, of the ownership of any lot aforesaid, shall, in all respects, have the same effect as any conveyance from said corporation of said lot would have if executed, acknowledged, and recorded, as conveyances of real estate are required to be.

SEC. 9. *And be it further enacted*, That nothing in this act shall be so construed as to authorize the said corporation to issue any note, token, device, or scrip, or other evidence of debt, to be used as currency.

SEC. 10. *And be it further enacted*, That this act shall take effect from the passage thereof.

SEC. 11. *And be it further enacted*, That it may be lawful for Congress hereafter to alter, modify, or repeal the foregoing act.

SEC. 12. *And be it further enacted*, That each of the stockholders in

the said company shall be held liable in his or her individual capacity, for all the debts and liabilities of the said company, however contracted or incurred, to be recovered by suit, as other debts or liabilities, before the court or tribunal having jurisdiction of the case.

Stockholders
individually lia-
ble for debts.

APPROVED, June 13, 1860.

CHAP. CXXIII.—*An Act for the Relief of Maryett Van Buskirk.*

June 13, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Maryett Van Buskirk, out of any moneys in the treasury not otherwise appropriated, the sum of twenty thousand three hundred and sixty-seven dollars, in full payment for the claim for forage, grain, cattle, and other supplies furnished to the American army by the late Thomas Van Buskirk, deceased, of Bergen county, State of New Jersey, during the revolutionary war.

Payment to
Maryett Van
Buskirk.

APPROVED, June 13, 1860.

CHAP. CXXIV.—*An Act for the Relief of George P. Marsh.*

June 13, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay George P. Marsh, late minister to the Ottoman Porte, out of any money in the treasury not otherwise appropriated, the sum of nine thousand dollars, in full for all claims he may have on account of special services rendered by him in Greece in the years eighteen hundred and fifty-two and eighteen hundred and fifty-three, under instructions from the State Department.

Payment to
George P. Marsh
for special ser-
vices.

APPROVED, June 13, 1860.

CHAP. CXXV.—*An Act for the Relief of Francis Lavonture and Pierre Grignon.*

June 13, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the titles to certain tracts of land at Green Bay, Wisconsin, confirmed to Francis Lavonture and Pierre Grignon by the commissioners appointed under the act of Congress, approved February twenty-one, eighteen hundred and twenty-three, entitled "An act to revive and continue in force certain acts for the adjustment of land claims in the Territory of Michigan," and which are described as follows: To Francis Lavonture, "commencing at low-water mark on Fox River, and running west eighty arpens, or so far as to make said claim contain six hundred and forty acres, (as confirmed by said commissioners,) and bounded on the south by a certain tract occupied by the United States garrison, west and north by wild or uncultivated lands, and east by Fox River, being sixteen arpens in breadth;" and to Pierre Grignon for a piece or parcel of ground lying and being on the west side of Fox River, Green Bay, immediately below the first creek that empties into said river, about fifteen acres in front on the said river, and extending back indefinitely, be, and the same are hereby, ratified and confirmed; and that the Commissioner of the General Land-Office cause the said tracts of land to be surveyed in the same manner as other private claims to lands in Green Bay have been surveyed; and that he be required to issue patents thereon to and in the names of the aforesaid Francis Lavonture and Pierre Grignon, respectively, subject to such legal transfers or assignments as may have been made by them, or either of them, or their heirs or legal representatives, at any time subsequent to the confirmation to them, respectively, by the said commissioner, according to the fifth section of the said act of eighteen hundred and twenty-three.

Land titles of
Francis Lavonture
and Pierre
Grignon con-
firmed.
1823, ch. 10.
Vol. iii. p. 724.

APPROVED, June 13, 1860.

June 13, 1860. CHAP. CXXVI.—*An Act granting an Invalid Pension to Beriah Wright, of New York.*

Pension to Beriah Wright, in addition to former one.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Beriah Wright, of New York, upon the roll of invalid pensioners of the United States, and pay him a pension, at the rate of four dollars per month, in addition to the pension he is now receiving, from the sixteenth day of February, one thousand eight hundred and fifty-eight, during his natural life.

APPROVED, June 13, 1860.

June 13, 1860.

CHAP. CXXVII.—*An Act for the Relief of Erastus Hutchins.*

Pension to Erastus Hutchins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Erastus Hutchins, of Ohio, a soldier in the war of eighteen hundred and twelve, upon the pension roll, and allow him eight dollars per month from the first of January, eighteen hundred and sixty.

APPROVED, June 13, 1860.

June 15, 1860.

CHAP. CXXIX.—*An Act to Incorporate the National Gallery and School of Arts in the District of Columbia.*

Gallery and school of arts established.

Institution how to be managed, &c.

First Trustees.

Name of corporation, powers, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there may be established in the District of Columbia by the persons hereinafter named a gallery and school of arts, for the purpose of promoting the improvement of the fine arts, and their application to patriotic purposes, by means of exhibitions, libraries, museum, instruction, and any other practicable operations.

SEC. 2. *And be it further enacted,* That the said institution shall be under the management, direction, and government of a number of trustees, not exceeding twenty-five, to be elected annually by the contributors to the said gallery and school, in such manner and under such limitations and restrictions as may be provided in the by-laws thereof; and the first trustees of the said institution shall consist of the following persons, namely: Horatio Stone, John Cranch, J. M. Stanly, J. G. Bruff, Robert Bogle, W. W. Corcoran, A. F. Cunningham, T. G. Clemens, J. G. Berret, F. P. Stanton, A. Thomas Smith, H. G. Fant, Charles Eames, B. Ogle Taylor, George W. Riggs, Charles Haskins, Seth Eastman, Samuel F. Vinton, and L. D. Gale, which said trustees and their successors shall be a body politic and corporate, with perpetual succession, by the name and style of "The National Gallery and School of Arts;" by which name and title the said trustees and their successors shall be competent and capable, in law and equity, to take to themselves and their successors, for the use of the said institution, any estate in any lands, tenements, hereditaments, goods, chattels, moneys, and other effects, by gift, grant, bargain, sale, conveyance, assurance, will, devise, or bequest of any person or persons whatsoever: *Provided,* The same do not exceed, in the whole, the yearly value of fifty thousand dollars and the same property and effects, real and personal, to grant, bargain, sell, convey, assure, demise, and to farm let, and to place out on interest for the use of the said institution; and by the same name to sue and be sued, to plead and be impleaded, in any courts of law and equity; and to make and use a common seal, and the same to break and alter at their pleasure; and generally, by and in the same name, to do and transact all and every the business touching or concerning the premises.

Term of office of above named trustees; their powers, &c.

SEC. 3. *And be it further enacted,* That the trustees aforesaid shall hold their offices until the first day of October, eighteen hundred and sixty, and until their successors shall be elected. And in the mean time,

the said trustees shall pass all necessary ordinances and by-laws for the complete organization, government, and administration of the institution herein established. They may appoint or elect a president and secretary of their own body, and all such officers, professors, or teachers, as to them may seem expedient, and may confer upon them such powers, not inconsistent with the Constitution and laws of the United States, as may to them seem suitable to the end in view. They shall provide for the election of their successors on the first day of October, eighteen hundred and sixty, and annually thereafter; but, if from any cause, such elections should not take place at the times herein provided, they may be appointed for any other convenient time. And the said trustees for the first election, and their successors ever thereafter, shall determine and establish the rules and conditions upon which subscribers and contributors to the said gallery and school shall be admitted as members of the said institution, the manner in which they shall vote in the annual elections for trustees, and the privileges they shall enjoy in the said institution, and in the lectures, exhibitions, and other proceedings thereof. A majority of said trustees shall constitute a quorum to do business.

Conditions of membership, &c., how determined.

SEC. 4. *And be it further enacted*, That the said trustees shall have power to grant and confirm to meritorious persons, such degrees in the arts as they may in their by-laws establish; and grant diplomas or certificates, under their common seal, and signed by the president and secretary to authenticate and perpetuate the same.

Quorum. Trustees may grant degrees, &c.

SEC. 5. *And be it further enacted*, That it shall be the duty of the trustees to keep regular books or journals, in which shall be entered, under their direction, an account of all their ordinary acts and proceedings; all the by-laws, ordinances, rules, and regulations; a schedule of all the property and effects of every kind which may in any way be vested in the said trustees for the use and benefit of the said institution; and the names of all the subscribers and contributors qualified to vote for trustees, with their respective places of residence. And the said books or journals shall at all times be open to the inspection and examination of the said subscribers and contributors, and when required by either House of Congress, it shall be the duty of the said trustees to furnish any information respecting the institution and its affairs which may be so required.

Shall keep books and journals, which shall be open to inspection, &c.

SEC. 6. *And be it further enacted*, That nothing in this act shall be so construed as to authorize said corporation to issue any note, token, device, scrip, or other evidence of debt to be used as a currency.

Corporation not to issue notes, &c., as currency.

SEC. 7. *And be it further enacted*, That this act may at any time be altered, amended, or repealed by the Congress of the United States.

Act may be amended, &c.

SEC. 8. *And be it further enacted*, That it shall not be lawful for the corporation hereby created to adopt any system of lottery or chances, as a means of making a revenue, or in distributing any works of art.

Corporation not to distribute works of art by lottery, &c.

APPROVED, June 15, 1860.

CHAP. CXXXIII.—*An Act for the Relief of Francis Dainese.*

June 15, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to Francis Dainese, late consul at Constantinople, the sum of four thousand eight hundred and twenty dollars and ninety-nine cents, in full of all claims and demands of the said Francis Dainese upon the United States for his travelling, contingent, and other expenses, as well as for losses sustained by him in, and connected with, the consulate at Constantinople; to be paid out of any money in the treasury not otherwise appropriated.

Payment to Francis Dainese.

APPROVED, June 15, 1860.

June 16, 1860. CHAP. CXLIV.—*An Act for the Relief of the Missionary Society of the Methodist Episcopal Church.*

\$20,000 to be paid for release of land claim, &c., in Oregon.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be paid, out of any money in the treasury not otherwise appropriated, to the Missionary Society of the Methodist Episcopal Church the sum of twenty thousand dollars, upon filing in the proper department a release to the United States, to be approved by the Attorney-General, of all claim to the land embraced within the limits of the military reservation at the Dalles, in Oregon Territory, and of all claim for damages for destruction of property on or near the said land by the United States troops or volunteers or Indians at any time anterior to the date of said release.

APPROVED, June 16, 1860.

June 16, 1860.

CHAP. CXLV.—*An Act for the Relief of Anson Dart.*

Payment and indemnity to Anson Dart.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury Department be, and they are hereby, authorized and directed to pay, out of any moneys in the treasury not otherwise appropriated, to Anson Dart, late superintendent of Indian affairs in the Territory of Oregon, the sum of four thousand dollars per annum, deducting therefrom twenty-five hundred dollars per annum, already received, for the time he served as such superintendent, being from the first day of July, eighteen hundred and fifty, to the fourth day of May, eighteen hundred and fifty-three; and also to settle with him upon principles of equity and justice, so as to indemnify him for all moneys paid and expenses incurred by him for the use and benefit of the government, for the services of an extra assistant clerk six months, and for the board of the Indian interpreters employed by him during his term of office as superintendent as aforesaid.

APPROVED, June 16, 1860.

June 16, 1860.

CHAP. CXLVI.—*An Act for the Relief of Solomon Wadsworth.*

Land title confirmed and patent to issue to Solomon Wadsworth.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title of Solomon Wadsworth, of Clayton county, in the State of Iowa, be, and the same is hereby, confirmed to lots numbers two and three, in section number fifteen, in township number ninety-four north, of range three west, containing one hundred and thirty-four acres and eighty-four hundredths of an acre, in said State of Iowa, and that a patent issue therefor, in accordance with the laws of the United States, upon the payment of one dollar and twenty-five cents per acre therefor into the proper land office of the United States.

APPROVED, June 16, 1860.

June 16, 1860.

CHAP. CXLVII.—*An Act for the Relief of John Brannan.*

Payment to John Brannan for extra services as librarian.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, directed, out of any money in the treasury not otherwise appropriated, to pay to John Brannan, an employee in the Department of State, the sum of two hundred and eighty dollars, in full for extra services as librarian in said department, from the fifteenth of September, eighteen hundred and fifty-eight, to the fifteenth of January, eighteen hundred and fifty-nine, being at the rate of four dollars per day, after deducting the pay received by him as an employee during said time.

APPROVED, June 16, 1860.

CHAP. CXLVIII.—*An Act for the Relief of R. W. Clarke.*

June 16, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any money in the treasury not otherwise appropriated, to R. W. Clarke, late assistant messenger in the office of the Commissioner of Pensions, the sum of two hundred and twenty-five dollars, in full compensation for extra services performed by him in said office as clerk, from January one, eighteen hundred and fifty-one, to October one, eighteen hundred and fifty-one.

Payment to R. W. Clarke for extra services.

APPROVED, June 16, 1860.

CHAP. CXLIX.—*An Act for the Relief of David Myerle.*

June 16, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to David Myerle, out of any money in the treasury not otherwise appropriated, the sum of thirty thousand dollars, for losses, sacrifices, and expenses incurred by him in testing and establishing the practicability and safety of the process of water-rotting hemp, under the direction of the Navy Department.

Payment of \$30,000 to David Myerle for losses, &c., in testing process of water-rotting hemp.

APPROVED, June 16, 1860.

CHAP. CL.—*An Act granting a Pension to Martha Sanderson, Widow of Major Winslow F. Sanderson.*

June 16, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Martha Sanderson on the invalid pension rolls of the United States, at the rate of twenty-five dollars per month, to commence on the first day of January, eighteen hundred and sixty, and to continue during her widowhood.

Pension to Martha Sanderson.

APPROVED, June 16, 1860.

CHAP. CLI.—*An Act granting a Pension to James Alexander, an Invalid Soldier of the War of eighteen hundred and twelve.*

June 16, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and instructed to place the name of James Alexander on the invalid pension lists of the United States, at the rate of eight dollars per month, commencing on the first day of January, eighteen hundred and sixty, and to continue during his natural life.

Pension to James Alexander.

APPROVED, June 16, 1860.

CHAP. CLII.—*An Act for the Relief of J. R. Crump.*

June 16, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to J. R. Crump, out of any money in the treasury not otherwise appropriated, the sum of seven hundred and fifty dollars, in full for his expenses in returning from Santa Fe, in eighteen hundred and fifty-nine, and for services, subsequently, in aiding Superintendent E. F. Beale in the preparation of the official report of his wagon road exploration.

Payment to J. R. Crump.

APPROVED, June 16, 1860.

CHAP. CLIII.—*An Act for the Relief of Anton L. C. Portman.*

June 16, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treas-

Payment to
Anton L. C.
Portman as
Dutch interpret-
er.

ury be, and he is hereby, directed to pay, out of any money in the treasury not otherwise appropriated, to Anton L. C. Portman, late clerk to Commodore M. C. Perry, while in command of the East India squadron, the sum of three thousand dollars, for his services as Dutch interpreter during the negotiation of the treaty between the United States and the empire of Japan, from the preliminary preparations to the final completion of said negotiations.

APPROVED, June 16, 1860.

June 16, 1860.

CHAP. CLIV.—*An Act for the Relief of Joel M. Smith.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officer of the treasury be, and he is hereby, directed to pay to Joel M. Smith a sum equal to two per centum on all moneys disbursed by him as agent for paying pensions prior to February fifteen, eighteen hundred and forty-seven, and for which he may not have received compensation.

APPROVED, June 16, 1860.

Payment to
Joel M. Smith.

June 16, 1860.

CHAP. CLV.—*An Act for the Relief of Benjamin Sayre.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to Benjamin Sayre, of Wabash county, Indiana, out of any money in the treasury not otherwise appropriated, the sum of two thousand and forty-three dollars, in full of his claim for work and labor, under his contract with the United States, bearing date December eight, eighteen hundred and thirty-two, in section sixty-seven of the Cumberland road in Indiana, in the division east of Indianapolis.

APPROVED, June 16, 1860.

Payment to
Benjamin Sayre.

June 18, 1860.

CHAP. CLVI.—*An Act for the Relief of Thomas R. Livingston.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and he is hereby, authorized to receive and consider such testimony as may be produced by Thomas R. Livingston; and if he is satisfied from such testimony that said Livingston did not intend to bid for the mail service he is now performing on mail route number ten thousand five hundred and twenty-seven, in the State of Missouri, and that the person who prepared said bid inserted Maysville by mistake, instead of Stewartville, then the Postmaster-General is authorized and required to pay said Livingston, in addition to his present pay, a fair price for transporting the mails from Stewartville to Maysville, from the commencement of said service.

APPROVED, June 18, 1860.

Payment to
Thomas R. Liv-
ingston, if, &c.

June 19, 1860.

CHAP. CLIX.—*An Act granting an Invalid Pension to Ezekiel Jones.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Ezekiel Jones on the invalid pension roll of the United States, at the rate of sixteen dollars per month, commencing from and after the passage of this act.

APPROVED, June 19, 1860.

Pension to
Ezekiel Jones.

June 19, 1860.

CHAP. CLX.—*An Act for the Relief of Josiah Atkins, of Ohio.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Inte-

rior be directed to cause to be issued to Josiah Atkins, of the State of Ohio, a bounty land-warrant for one hundred and sixty acres in lieu of warrant number fifty-four thousand eight hundred and ninety-three, issued to said Atkins under the act of March third, eighteen hundred and fifty-five, the same having been lost in transmission through the mails by the Commissioner of the General Land Office to the register and recorder at Council Bluffs, Iowa, in the year eighteen hundred and fifty-eight, the same to be issued under such rules and regulations as the Secretary of the Interior may prescribe.

Bounty land-warrant to Josiah Atkins.

APPROVED, June 19, 1860.

CHAP. CLXI.—*An Act to incorporate the East Washington Library Association.* June 19, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Richard H. D. Cooper, James B. Peake, Elmon A. Adams, John H. B. Jenkins, Edward M. Boteler, Samuel A. H. Marks, jr., Donald McCathron, and others, together with those who may hereafter become associated with them, are hereby made, declared, and constituted a corporation and body politic in point of law and in fact; to have continuance forever under the name, style, and title of the East Washington Library Association.

Corporators.

Corporate name.

SEC. 2. *And be it further enacted,* That the said corporation by the name and style aforesaid be, and shall be hereafter, capable, in law and equity, to sue and be sued, to plead and be impleaded, to recover and be recovered from, within the District of Columbia, in as effectual a manner as other persons or corporations can do; that they shall appoint such officers as they may deem necessary and proper, to assign them their duties, and remove them and appoint others when duty or the laws of the association make it necessary; and the said corporation shall have the right to adopt any rules or measures necessary for its government and for the general accomplishments of the objects of the association, and for those who are hereinafter mentioned: *Provided,* That they are not inconsistent with the laws of the District of Columbia or of the United States in any manner whatsoever.

Powers and liabilities of corporation.

SEC. 3. *And be it further enacted,* That all and singular the goods, chattels, and other effects of what kind or nature, and moneys, that have been or may hereafter be given, granted, or devised to the said association, or to any person or persons, for the use thereof, or that have been or shall be hereafter purchased or secured for or on account of the said association, be, and the same is hereby, vested in and secured to the said corporation: *Provided,* That the goods, chattels, effects, and moneys thus vested in and secured to the said corporation shall not, in the whole, exceed the sum and value of fifty thousand dollars.

Corporation may take and hold property to extent of not over \$50,000.

SEC. 4. *And be it further enacted,* That this act may at any time be altered, amended, or repealed by the Congress of the United States.

This act may be altered, &c., or repealed.

APPROVED, June 19, 1860.

CHAP. CLXVIII.—*An Act for the Relief of Samuel H. Taylor.* June 21, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be allowed and paid, out of any money in the treasury not otherwise appropriated, to Samuel H. Taylor the sum of two hundred and seventy dollars for extra service performed by him as messenger in the office of the Third Auditor of the Treasury, from June, eighteen hundred and fifty-three, to September, eighteen hundred and fifty-five.

Payment to Samuel H. Taylor.

APPROVED, June 21, 1860.

June 21, 1860.

CHAP. CLXIX.—*An Act for the Relief of Cassius M. Clay.*Payment to
Cassius M. Clay.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, directed, out of any money in the treasury not otherwise appropriated, to pay to Cassius M. Clay, the sum of five hundred and thirty-three dollars and twenty cents, for the amount of a judgment, costs and interest, recovered against him by one Eliza Bowles for trespass in executing a military order of his superior officer, in eighteen hundred and forty-six, together with interest from the first of October, eighteen hundred and forty-eight, the date of payment of said judgment, costs, and interest.

APPROVED, June 21, 1860.

June 21, 1860.

CHAP. CLXX.—*An Act for the Relief of the Heirs or Legal Representatives of the Estate of Charles H. Mason.*Payment to
heirs, &c., of
Charles H. Ma-
son.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any money in the treasury not otherwise appropriated, to the heirs or legal representatives of the estate of Charles H. Mason, late secretary of the Territory of Washington, the difference between the salary of the governor of said Territory and the secretary, during the time that the governor of said Territory was absent from the Territory by permission of the President, and the duties of governor were discharged by said Charles H. Mason.

APPROVED, June 21, 1860.

June 21, 1860.

CHAP. CLXXI.—*An Act for the Relief of Margaret Whitehead.*Pension to
Margaret White-
head.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and required to place the name of Margaret Whitehead, widow of William Whitehead, late a boatswain in the navy of the United States, on the pension roll, and cause her to be paid the sum of ten dollars per month, from the ninth day of April, eighteen hundred and fifty-four, during widowhood.

APPROVED, June 21, 1860.

June 21, 1860.

CHAP. CLXXII.—*An Act for the Relief of Eben S. Hanscomb.*Eben S. Hans-
comb may enter
land in Minne-
sota, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Eben S. Hanscomb be, and he is hereby, authorized to enter the southeast quarter of section sixteen, township twenty-eight north, range twenty-four west, in the district of lands subject to sale at Forest City, State of Minnesota, upon the payment by said Hanscomb of the usual minimum of one dollar and twenty-five cents per acre; and the Commissioner of the General Land Office is directed to issue a patent on said entry: *Provided,* however, that no *bonâ fide* claim, or right of any other parties, or of the State of Minnesota to said land, shall be in any wise prejudiced or affected by the terms of this act, until their assent shall have been first obtained.

Superintendent
of schools to
select land in lieu
thereof.

SEC. 2. *And be it further enacted,* That the superintendent of public schools in the State of Minnesota is authorized to select an equal quantity of other lands in said State, for the use of public schools, in lieu of the lands herein granted.

APPROVED, June 21, 1860.

June 21, 1860.

CHAP. CLXXIII.—*An Act for the Relief of Philip B. Holmes and William Pedrich.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the

Treasury be, and he is hereby, authorized and directed to pay Philip B. Holmes and William Pedrich, out of any money in the treasury not otherwise appropriated, the sum of three thousand dollars, for the invention of a machine for cutting raw hides into strips for making hide ropes for the use of the navy of the United States: *Provided*, That the United States shall be authorized hereafter to use said machine free of any charge by claimants, their heirs, or assignees.

Payment to Philip B. Holmes and William Pedrich.

Proviso.

APPROVED, June 21, 1860.

CHAP. CLXXIV.—*An Act for the Relief of Peay and Ayliffe.*

June 21, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and he is hereby, authorized and directed to adjust the accounts of Peay and Ayliffe, late contractors on mail route, number seven thousand five hundred and three, in the State of Arkansas; and if it appears, from evidence produced by said Peay and Ayliffe, or on the files of the department, that the said contractors, in consequence of the weight of the mails, were compelled between the first July, eighteen hundred and fifty-four, and fifteenth day of June, eighteen hundred and fifty-seven, to perform extra service, not contemplated in, or covered by, their contract, then the accounts of said contractors for such extra service shall be audited and paid, at a fair rate of compensation, out of any money in the treasury not otherwise appropriated.

Accounts of Peay and Ayliffe to be adjusted.

APPROVED, JUNE 21, 1860.

CHAP. CLXXV.—*An Act for the Relief of Emilie G. Jones, Executrix of Thomas P. Jones, deceased, and Nancy M. Johnson, Administratrix of Walter R. Johnson, deceased.*

June 21, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, directed, out of any money in the treasury not otherwise appropriated, to pay to Emilie G. Jones, executrix of Thomas P. Jones, deceased, the sum of two thousand two hundred and fifty dollars, in full for the services of the said Thomas P. Jones as a member of the board of examiners, appointed by the Secretary of the Navy, under the provisions of the act of Congress approved March third, eighteen hundred and forty-three, entitled "An act to modify the act entitled 'An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam,'" approved July seventh, eighteen hundred and thirty-eight.

Payment to Emilie G. Jones.

1848, ch. 94. Vol. v. p. 626.

1838, ch. 191. Vol. v. p. 304.

SEC. 2. *And be it further enacted*, That the Secretary of the Treasury be, and he hereby is, directed, out of any money in the treasury not otherwise appropriated, to pay to Nancy M. Johnson, administratrix of Walter R. Johnson, deceased, the sum of two thousand two hundred and fifty dollars, in full for the services of the said Walter R. Johnson, as a member of the board of examiners, appointed by the Secretary of the Navy, under the provisions of the act of Congress, approved March three, eighteen hundred and forty-three, entitled "An act to modify the act entitled 'An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam,'" approved July seven, eighteen hundred and thirty-eight.

Payment to Nancy M. Johnson.

APPROVED, June 21, 1860.

CHAP. CLXXVI.—*An Act for the Relief of Chauncey W. Fuller.*

June 21, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Chauncey W. Fuller upon the invalid pension rolls, at the rate of eight

Pension to Chauncey W. Fuller.

dollars per month, to commence on the first day of April, eighteen hundred and fifty-eight, and to continue during his natural life.

APPROVED, June 21, 1860.

June 21, 1860.

CHAP. CLXXVII.—*An Act to confirm certain Private Land Claims in the State of Missouri.*

Certain private land claims in Missouri confirmed.

1832, ch. 180. Vol. iv. p. 665.

1833, ch. 84. Vol. iv. p. 661.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the decisions in favor of certain claimants hereinafter mentioned, made by the recorder of land titles in the State of Missouri, and the two commissioners associated with him, by virtue of an act entitled "An act for the final adjustment of private land claims in Missouri," approved July nine, eighteen hundred and thirty-two, and an act supplemental thereto, approved March two, eighteen hundred and thirty-three, as entered in the transcript of decisions transmitted by the recorder and commissioners to the Commissioner of the General Land Office, which decisions are named and numbered as follows, to wit: Israel Dodge, number two hundred and eighty-eight; Walter Fenwick, number three hundred and thirty-nine; and Mackey Wherry, number eighty-six; said claims having been by said board reported in the first class, and recommended for confirmation, be, and the same are hereby, confirmed to the respective claimants aforesaid, or their legal representatives, to the extent recommended by said recorder of land titles and commissioners, that is, to Israel Dodge, or his legal representatives, seven thousand and fifty-six arpens; to Walker Fenwick, or his legal representatives, ten thousand arpens; and to Mackey Wherry, or his legal representatives, sixteen hundred arpens.

Provision in case claims have not been and cannot be located.

SEC. 2. *And be it further enacted,* That, in case either of the claims confirmed by this act, or any part thereof, has not been located or surveyed, or cannot be located or satisfied, either for want of a specific location prior to this confirmation, or because the land upon which the same is located has been otherwise disposed of by the general government, it shall be the duty of the surveyor-general of the district, upon proof satisfactory to him that such claim has been confirmed, and that the same, in whole or in part, has not and cannot be satisfied for the reasons aforesaid, or from any cause, to issue to the claimants, or their legal representatives, a certificate of location for a quantity of land equal to that so confirmed and unsatisfied, which certificate may be located upon any of the public lands of the United States subject to sale at private entry, at a price not exceeding one dollar and twenty-five cents per acre: *Provided,* That such location shall conform to the legal divisions and subdivisions as provided by law.

Proviso.

Certificate of entry to issue, and patent.

SEC. 3. *And be it further enacted,* That the register of the proper land-office, upon the location of such certificate, shall issue to the person entitled thereto a certificate of entry; upon which, if it shall appear to the satisfaction of the Commissioner of the General Land Office that such certificate has been fairly obtained, a patent shall issue as in other cases.

APPROVED, June 21, 1860.

June 21, 1860.

CHAP. CLXXVIII.—*An Act to repeal the Second Section and other Portions of an Act passed the second Day of June, eighteen hundred and fifty-eight, entitled "An Act to provide for the Location of certain confirmed Private Land Claims in the State of Missouri, and for other Purposes."*

Act of 1858, ch. 81, § 2, Vol. xi. p. 294, repealed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of an act passed the second day of June, one thousand eight hundred and fifty-eight, entitled "An act to provide for the location of certain confirmed private land claims in the State of Missouri, and for other purposes," and all other parts of said act which relate to lands in Louisiana, confirmed

by said second section, (so far as said lands are concerned,) be, and the same are hereby, repealed.

SEC. 2. *And be it further enacted,* That Congress hereby refuses to confirm to the claimants under the Houmas grant, the lands embraced in certificates number one hundred and twenty-five to William Conway, number one hundred and twenty-seven to Daniel Clark, and number one hundred and thirty-three to Donaldson and Scott.

Certain claims under the Houmas grant not confirmed.

APPROVED, June 21, 1860.

CHAP. CLXXXII.—*An Act to grant to the City of Port Huron, Michigan, a Part of the Military Reservation of Fort Gratiot, for the Enlargement of the City Cemetery at that Place.* June 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and required to convey to the city of Port Huron, Michigan, of the military reservation of Fort Gratiot, a lot not to exceed thirty acres, to be taken from the land adjoining the city cemetery and to be used for its enlargement and for no other purpose, so far and under such conditions and reservations as in the opinion of the Secretary of War the public interest present or prospective may require.

Part of military reservation granted to Port Huron for a cemetery.

APPROVED, June 22, 1860.

CHAP. CXCI.—*An Act for the Relief of the California Stage Company.* June 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be authorized and directed to examine and adjust the claim of the California Stage Company for extra services performed on routes numbers twelve thousand five hundred and forty-five and twelve thousand five hundred and thirty-five in California, for four years ending June thirty, eighteen hundred and fifty-eight, and the amount found due to said contractors shall be paid out of any money in the treasury not otherwise appropriated.

Account of California Stage Company to be examined, adjusted, &c.

APPROVED, June 22, 1860.

CHAP. CXCII.—*An Act for the Relief of William Nelson.* June 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized to allow to Lieutenant William Nelson, United States navy, in the adjustment of his accounts, the amount charged against him for goods stolen from the United States ship Fredonia, while under his command: *Provided,* That the same shall not exceed one thousand and five dollars and seventy-six cents.

Credit in account to be allowed H. William Nelson to extent of \$1005.76.

APPROVED, June 22, 1860.

CHAP. CXCIII.—*An Act for the Relief of Robert Johnston.* June 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Robert Johnston, of the city of Philadelphia and State of Pennsylvania, be, and he is hereby, authorized to locate, on any of the public lands of the United States subject to location with military bounty land warrants, the following described bounty land warrants heretofore issued under and by virtue of the act of eleventh February, eighteen hundred and forty-seven, viz. Number thirty-five thousand eight hundred and eighty-five, issued to Charles H. Burns; number thirty-five thousand nine hundred and thirteen, issued to John Hurr; number thirty-five thousand nine hundred and eighteen, issued to John Lehman; number thirty-five thousand nine hun-

Robert Johnston may locate certain military bounty land warrants.

1847, ch. 8, § 9. Vol. ix. p. 125.

dred and nineteen, issued to Amos Lightner; number thirty-seven thousand one hundred and seventy-six, issued to Henry Wells; number thirty-eight thousand seven hundred and twelve, issued to Jesse C. Moore; number thirty-eight thousand seven hundred and thirteen, issued to Thomas T. Mahan; number thirty-eight thousand seven hundred and twenty-six, issued to James Smith; number thirty-nine thousand seven hundred and fifty-five, issued to James Deal; number thirty-nine thousand seven hundred and fifty-six, issued to William E. Fennimore; number thirty-nine thousand seven hundred and fifty-nine, issued to John C. Hardy; number forty-four thousand three hundred and seventy-nine, issued to Samuel K. Worms; number forty-four thousand six hundred and ninety-eight, issued to Bagshaw Barsly; number forty-four thousand eight hundred and fifty-three, issued to John Kolk; number forty-four thousand eight hundred and fifty-nine, issued to Charles Corragin; number forty-four thousand eight hundred and seventy-five, issued to Ludolph Wedemeyer; number forty-four thousand eight hundred and seventy-six, issued to Daniel Meyer; number forty-four thousand eight hundred and seventy-seven, issued to Frederick Meyer; number forty-four thousand eight hundred and seventy-eight, issued to Henry E. Layton; number forty-four thousand eight hundred and eighty, issued to Daniel Adams; number forty-five thousand seven hundred and twenty-nine, issued to Jeremiah Gensmer; number forty-five thousand seven hundred and thirty-one, issued to George M. Newell; number forty-five thousand eight hundred and sixty-six, issued to John Randolph; and number fifty-five thousand two hundred and ninety-eight, issued to John Wallace, the discharges received by said soldiers after the conclusion of their respective terms of service having, as is alleged, been purchased from them for a valuable consideration: *Provided*, That if it shall hereafter appear that the said soldiers did not, in whole or in part, receive a fair and valuable consideration for such discharge, it shall and may be lawful for them, or their heirs, to assert their claims respectively in a court of law, and the particular tracts, selected in satisfaction of the warrants aforesaid, shall severally be subject to such claims in law or equity, and the patents which may issue for such tracts shall certify accordingly: *And provided further*, That any assignment made of either of the land warrants, or the locations thereof, prior to the issuing of patents, shall be absolutely null and void in law and equity.

Proviso.

Proviso.

APPROVED, June 22, 1860.

June 22, 1860.

CHAP. CXCIV.—*An Act to authorize the Settlement of the Accounts of Edward Ely, deceased, late Consul of the United States at Bombay, on Principles of Justice and Equity.*

Accounts of
Edward Ely, to
be settled.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to settle, upon principles of justice and equity, the accounts of Edward Ely, deceased, late consul of the United States at Bombay, and he is hereby authorized and directed to pay to the legal representatives of the said decedent, out of any moneys in the treasury not otherwise appropriated, whatsoever sum shall appear to be due the said decedent upon the settlement of the said account.

APPROVED, June 22, 1860.

June 22, 1860.

CHAP. CXCV.—*An Act for the Relief of Mary Preston, Widow of George Preston.*

Pension to
Mary Preston.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension rolls, at the rate of eight dollars per month, the name of Mary Preston, widow of George Preston, late an ordnance sergeant in the service

of the United States, from the seventh of February, eighteen hundred and fifty-nine.

APPROVED, June 22, 1860.

CHAP. CXCVI.—*An Act for the Relief of David Waldo.*

June 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to pay to David Waldo, out of any money in the treasury not otherwise appropriated, the sum of nine thousand nine hundred and thirty-six dollars, being the amount of damages awarded by the report of the Quartermaster-General of the United States army, for the non-fulfilment, on the part of the government of a contract made with him in May, eighteen hundred and fifty, for delivering corn at Fort Laramie, and the payment of which is recommended by the Secretary of War.

Payment to David Waldo.

APPROVED, June 22, 1860.

CHAP. CXCVII.—*An Act for the Relief of Sylvester Gray.*

June 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of Sylvester Gray, a free man of color, made under the preëmption act of September fourth, eighteen hundred and forty-one, to the northwest quarter of section fourteen, in township forty-eight, of range thirteen, of the lands of the United States subject to sale at the land office at Superior, Wisconsin, be, and the same is hereby confirmed; and upon completion of such claim, by payment of the purchase-money, or the location of a bounty land warrant, the Secretary of the Interior shall cause to be issued to the said Sylvester Gray, a patent for the said land, as in other cases.

Land claim of Sylvester Gray allowed. 1841, ch. 16. Vol. v. p. 468.

APPROVED, June 22, 1860.

CHAP. CXCVIII.—*An Act for the Relief of Lieutenant William A. Winder, of the United States Army.*

June 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby authorized and directed to credit the account of Lieutenant William A. Winder, of the United States army, with the sum of one hundred dollars, it being the amount he had in his possession on board of the steamer San Francisco, in the month of December, eighteen hundred and fifty three, when said steamer was lost, together with that amount of money, and which now stands charged against the said Lieutenant William A. Winder, upon the books of the treasury, it having belonged to the recruiting fund of the United States army.

A credit to be allowed in account of William A. Winder.

APPROVED, June 22, 1860.

CHAP. CXCIX.—*An Act amendatory of an Act approved June fourteenth, eighteen hundred and fifty eight, for the Relief of Sherlock and Shirley.*

June 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and he is hereby authorized to reëxamine upon the evidence now in the Post-Office Department, the cases of fines and deductions charged against the pay of Sherlock and Shirley for mail service on route number five thousand one hundred and three, from Louisville to St. Louis, between April second, eighteen hundred and fifty-one, and November twenty-fifth, eighteen hundred and fifty-four, under contract and agreement with the Department, and to remit so much of such fines and deductions, as in his judgment ought not to have been enforced if said service had all

1858, ch. 172. Vol. xi. p. 652.

Certain fines and deductions to be remitted to Sherlock and Shirley.

Proviso. been performed under written contract: *Provided*, That no case of fine heretofore considered and decided by any former Postmaster-General, upon the application of the contractors, shall be reviewed under the provisions of this act.

APPROVED, June 22, 1860.

June 23, 1860. CHAP. CCVI.—*An Act for the Relief of Mrs. A. W. Angus, Widow of the late Captain Samuel Angus, United States Navy.*

Payment to
Anne W. Angus,
&c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Anne W. Angus, widow of Captain Samuel Angus, of the United States navy, deceased, the amount of pay which he would have received if he had remained in the navy from the date of his dismissal to the date of his death, at the same rate he was drawing when dismissed; and that she be placed in all respects as to pension as she would have been had her husband not been dismissed the service; said allowance to be in full of all claims of said widow.

APPROVED, June 23, 1860.

June 23, 1860.

CHAP. CCVII.—*An Act for the Relief of Sheldon McKnight.*

Payment to
Sheldon Mc-
Knight, of not
over \$45,000.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and he is hereby, directed to pay out of any money in the treasury not otherwise appropriated, to Sheldon McKnight, for carrying the United States mail from Cleveland, Ohio, and Detroit, Michigan, to Mackinaw, Sault Ste. Marie, Marquette, Copper Harbor, Eagle Harbor, Eagle River, and Ontonagon, Michigan, La Pointe and Superior, Wisconsin, during the years from eighteen hundred and forty-nine to eighteen hundred and fifty-seven, inclusive, in all cases where it is shown to the satisfaction of the Postmaster-General that said mail was carried by authority of the postmasters or agents of the Post-Office Department, and without a contract with said department, an amount equal per trip to that now allowed by the department for the same service, deducting therefrom the amount heretofore paid: *Provided*, That the sum allowed by virtue of this act shall not, in any wise, exceed forty-five thousand dollars.

Proviso.

APPROVED, June 23, 1860.

June 23, 1860.

CHAP. CCVIII.—*An Act for the Relief of William B. Shubrick.*

Credit allowed
to William B.
Shubrick in ac-
count.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, instructed to allow to Captain William B. Shubrick, United States navy, in the settlement of his accounts, the sum of fifteen hundred and fifty dollars, being the amount paid by his order while in command of the Pacific squadron, to H. R. de La Reintrie, translator and interpreter in the public service.

APPROVED, June 23, 1860.

June 23, 1860.

CHAP. CCIX.—*An Act for the Relief of E. George Squier, of New York.*

E. George
Squier to be paid
for outfits to Cen-
tral America, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury pay to E. George Squier, of New York, from any money in the treasury not otherwise appropriated, the sum of nine thousand nine hundred and thirty-seven dollars, in full, for outfits to the republics of Central America, and balance of salary due him as minister of the United States to said republics.

APPROVED, June 23, 1860.

CHAP. CCX.—*An Act for the Relief of Eli W. Goff.*

June 24, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to Eli W. Goff, late inspector of customs for the district of Vermont, the sum of thirty-five hundred dollars, out of any money in the treasury not otherwise appropriated, it being for expenses actually incurred by him in his efforts faithfully to execute the revenue laws of the United States.

Payment to
Eli W. Goff.

APPROVED, June 24, 1860.

CHAP. CCXII.—*An Act for the Relief of Isaac S. Smith, of Syracuse, New York.*

June 25, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, appropriated, out of any money in the treasury not otherwise appropriated, the sum of seventeen thousand seven hundred and forty-three dollars and seventy-seven cents, to be paid to Isaac S. Smith, of Syracuse, in the State of New York, for his work and labor bestowed, for materials furnished, and for expenses incurred, in attempting to build for the United States a light-house on the Horse Shoe reef, in the Niagara River, near Fort Erie, in the province of Canada.

Payment to
Isaac S. Smith.

APPROVED, June 25, 1860.

CHAP. CCXIII.—*An Act for the Relief of Elizabeth Smith, of Coffee County, Tennessee.*

June 25, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to cause to be issued to Elizabeth Smith, the wife of Joseph B. Smith, of Coffee county, Tennessee, a warrant for one hundred and sixty acres of land, for services rendered in the army of the United States, during the war with Mexico, by her father, Colonel Archibald Yell, of Arkansas.

Land warrant
to issue to Eliza-
beth Smith.

APPROVED, June 25, 1860.

CHAP. CCXIV.—*An Act to grant to the Parish of Point Coupee, Louisiana, certain Tracts of Land in said Parish.*

June 25, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the tracts of land in the Parish of Point Coupee, Louisiana, which have been in ancient occupancy as the site of a church and court house, and which are designated on the plats of the public surveys as sections twenty-three and twenty-four, in township four, south, of range ten, east, in the southeastern district, Louisiana, be, and the same are hereby, granted to the said Parish of Point Coupee, on the condition that the aforesaid section twenty-four, or the church site, shall be held by said parish for the use of the Catholic congregation now occupying it for public worship and as a burying-ground; but not to the prejudice of a valid adverse right, if such exist.

Land to be
given Parish of
Point Coupee.

Condition.

APPROVED, June 25, 1860.

RESOLUTIONS.

March 27, 1860. [No. 3.] *A Resolution for the Relief of Commander H. J. Hartstene, of the United States Navy.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of two thousand and eight dollars and sixty cents be allowed and paid by the accounting officers of the treasury to Commander H. J. Hartstene, on account of extra expenses incurred by him in restoring the barque "Resolute."

APPROVED, March 27, 1860.

April 19, 1860. [No. 8.] *A Resolution for the Compensation of Rev. R. R. Richards late Chaplain to the United States Penitentiary in the District of Columbia.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of three hundred dollars be paid to Reverend R. R. Richards, late Chaplain to the United States Penitentiary, out of any money in the treasury not otherwise appropriated, in full for his half year's salary, ending June thirtieth, eighteen hundred and fifty seven, and the same is hereby appropriated.

APPROVED, April 19, 1860.

May 9, 1860. [No. 10.] *A Resolution for the Relief of the legal Representatives of John A. Frost, deceased.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the first section of the act entitled "An act for the relief of the forward officers of the late exploring expedition," approved February first, eighteen hundred and forty-nine, shall be construed to embrace the claim of John A. Frost, who was acting boatswain of the United States brig "Porpoise" in said expedition, from January first, eighteen hundred and thirty-nine, to July seventh, eighteen hundred and forty-two, and that the amount found due to him shall be paid to his legal representatives.

APPROVED, May 9, 1860.

May 16, 1860. [No. 11.] *Joint Resolution for the Relief of Thomas C. Ware.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Thomas C. Ware, of Cincinnati, Ohio, out of any money in the treasury of the United States not otherwise appropriated, the sum of fifteen hundred dollars, in full for services rendered by him to the government of the United States, at the request of D. O. Morton, late District Attorney of the United States in the case of the United States versus Lyman Cole, and others, indicted and tried in the Circuit Court of the United States for the District of Ohio, at the October term, A. D. eighteen hundred and fifty-three.

APPROVED, May 16, 1860.

[No. 13.] *A Resolution for the Relief of A. M. Fridley, late Agent for the Winnebago Indians.*

May 25, 1860.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in the final settlement of the accounts of A. M. Fridley, late agent for the Winnebago Indians, the proper accounting officers be, and they are hereby, authorized and directed to credit him with the amount of judgment paid by him on the twenty-sixth of March, eighteen hundred and fifty-eight, and which was obtained against him on the fifteenth of January, eighteen hundred and fifty-six, in the United States District Court for the second district of Minnesota, in consequence of his having, under positive orders of the Commissioner of Indian Affairs, disregarded an injunction obtained against him in said Court in regard to the payment of certain moneys belonging to the Winnebago Indians, and which orders said Fridley was compelled to, and did, obey and carry out. And any balance found to be due said Fridley, after such credit shall be given to him, shall be paid out of any money in the treasury not otherwise appropriated. And the Secretary of the Interior is hereby directed to deduct the amount of said judgment, or so much thereof as was paid for the benefit of the Winnebagoes, from the annuities due them under the treaty of October thirteen, eighteen hundred and forty-six, and pay the amount thus deducted into the treasury.

Accounts of A. M. Fridley to be adjusted, and credit to be given him.

Vol. ix. p. 878.

APPROVED, May 25, 1860.

[No. 14.] *A Resolution relating to the Claim of George Fisher, late of Florida, deceased.*

June 1, 1860.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War is hereby authorized and required to revise his execution of the act of Congress entitled "An act supplemental to an act therein mentioned," approved December twenty-second, eighteen hundred and fifty-four, required of him by a joint resolution of Congress approved June third, eighteen hundred and fifty eight, and on said revision to consider and give effect to all the testimony filed in said case, including certain depositions formerly rejected by the second auditor of the treasury for the want of authentication, but now duly authenticated, and to restate and settle the account heretofore stated and settled by him under said resolution, and to make such corrections in his said former statement and settlement, and such further allowances, if any, on account of said claim beyond what has heretofore been allowed and paid, as in his opinion justice to the claimant shall require.

Claim of George Fisher to be considered anew.

1854, ch. 13.
Vol. x. p. 835.

Vol. xi. p. 553.

APPROVED, June 1, 1860.

[No. 15.] *A Resolution authorizing the Settlement of the Accounts of John R. Bartlett, late Commissioner of the United States to run and mark the Boundary Line between the United States and Mexico, and for other Purposes.*

June 7, 1860.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized to adjust the accounts of John R. Bartlett, late commissioner of the United States under the treaty of Guadalupe Hidalgo to run and mark the boundary line between the United States and Mexico upon principles just, fair and equitable to the said Bartlett and to the United States and in conformity with the usage in such cases, and that he also ascertain, or cause to be ascertained, in making said adjustment, whether the said Bartlett has received a credit upon his account with the government, and if so, what amount, for advances, if any, made by Thomas W. Tansill, late quartermaster and commissary of the said boundary commission, to officers and men in the employment of the same and claimed by said Tansill to be due to him at

Accounts of John R. Bartlett, to be adjusted.

Vol. ix. pp. 922,
927.

the time of his turning over his transfer lists of officers and men, by order of said Bartlett to George W. Thurber, his successor, deducting from the amount such sums as have been paid to the said Tansill, so as to ascertain the balance, if any, due to him by the said Bartlett.

Payment to be made him of what is due.

Proviso.

SEC. 2. *And be it further resolved*, That upon the adjustment of the accounts of the said Bartlett as aforesaid, the amount, if any, ascertained to be due him shall be paid to him out of any money in the treasury not otherwise appropriated: *Provided*, It shall appear that he has first paid and satisfied any amount that shall be ascertained, as aforesaid, to be due by him to the said Thomas W. Tansill.

APPROVED, June 7, 1860.

June 9, 1860.

[No. 16.] *Joint Resolution for the Relief of Henry Woods.*

Account of Henry Woods to be reopened.

1856, ch. 129.
Vol. xi. p. 85.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to reopen the account of Henry Woods, late superintendent of the construction of the custom-house, court-house, post-office, and so forth, at Pittsburg, Pennsylvania, and to settle the same in accordance with the provisions of the act of eighteenth August, eighteen hundred and fifty-six, entitled "An act making appropriations for certain civil expenses of the government for the year ending thirtieth June, eighteen hundred and fifty-seven."

APPROVED, June 9, 1860.

June 9, 1860.

[No. 17.] *Joint Resolution for the Relief of John T. Robertson, of Virginia.*

Liability of John T. Robertson on bond released.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That John T. Robertson of the State of Virginia, be, and he is hereby, released from any further or existing liability to the United States, upon his bond executed to the United States, of date twenty-sixth July, eighteen hundred and thirty, in the sum of ten thousand dollars, conditioned for the payment of five thousand dollars in several instalments as therein provided.

APPROVED, June 9, 1860.

June 15, 1860.

[No. 21.] *A Resolution to correct a Clerical Error in the Act approved May four, eighteen hundred and sixty, "for the Relief of Stewart McGowan."*

Error in former act corrected.
Ante, p. 839.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the clerical error in the "Act for the relief of Stewart McGowan," approved May four, eighteen hundred and sixty, be, and the same is hereby, corrected by inserting therein the name of *Stewart W. Megowan* in place of the name of "Stewart McGowan."

APPROVED, June 15, 1860.

June 15, 1860.

[No. 22.] *Joint Resolution for the Relief of William H. De Groot.*

Account of William H. De Groot to be settled.
Vol. xi. p. 268.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in further execution of the joint resolution of the third of March, eighteen hundred and fifty-seven, relative to the settlement of damages, losses, and liabilities, incurred by certain parties interested in the contract for furnishing brick for the Washington Aqueduct, the Secretary of War be, and he hereby is, directed and required to settle the account of William H. De Groot on principles of justice and equity, allowing to the said De Groot the amount of money actually expended by him in and about the execution of the said

contract; and also to indemnify him for such losses, liabilities, and damages, as, by virtue of the said joint resolution, he was entitled to receive; the amount so found to be due to the said De Groot to be paid to him out of the fund named in said joint resolution, or, if that has been diverted to other purposes, out of any money in the treasury not otherwise appropriated: *Provided, however,* That there shall be deducted from the losses, liabilities, and damages, found due to him, the amount paid to him by the government.

Proviso.

APPROVED, June 15, 1860.

[No. 23.] *A Resolution for the Relief of Arthur Edwards and his Associates.*

June 22, 1860.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General be, and he hereby is, authorized to examine and adjust the claim of Arthur Edwards and his associates for carrying the through mails on their boats between Cleveland and Detroit, Sandusky and Detroit, and Toledo and Detroit, during the years eighteen hundred and forty-nine and eighteen hundred and fifty-three, and the intervening years, and to pay to the said Arthur Edwards and his associates such sum of money as shall be found to be justly and equitably due to them for carrying the mails as aforesaid, and the sum thus found due shall be paid out of any money in the treasury not otherwise appropriated.

Claim of Arthur Edwards and associates to be adjusted.

APPROVED, June 22, 1860.

[No. 24.] *A Resolution for the Restoration of Lieutenant Augustus S. Baldwin to the Active List, from the Leave-of-absence List of the Navy.*

June 22, 1860.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be authorized to nominate, and, by and with the advice and consent of the Senate, to appoint Lieutenant Augustus S. Baldwin, first lieutenant and executive officer of the flag-ship Lancaster, to the active list of the navy.

Lieut. Augustus S. Baldwin to be restored to active list of navy.

APPROVED, June 22, 1860.

PRIVATE ACTS OF THE THIRTY-SIXTH CONGRESS

OF THE

UNITED STATES,

Passed at the second session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the third day of December, A. D. 1860, and ended on Monday, the fourth day of March, A. D. 1861.

JAMES BUCHANAN, President. JOHN C. BRECKINRIDGE, Vice-President, and President of the Senate. WILLIAM PENNINGTON, Speaker of the House of Representatives.

CHAP. IV. — *An Act for the Relief of William A. Linn's Estate.*

Dec. 22, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby directed to satisfy, out of any money in the treasury not otherwise appropriated, a judgment rendered by the Circuit Court, in and for the County of Saint Louis, State of Missouri, at its October term of the year eighteen hundred and fifty-seven, in favor of Thomas C. Reynolds and against the late William A. Linn, for services in defending said Linn in a suit brought against him by William H. Belcher and Charles Belcher, on account of acts done by said Linn as an officer of the United States; and also to pay to said Reynolds a like additional sum, in satisfaction of his demand in another suit brought by him in the Saint Louis Court of Common Pleas in and for said County of Saint Louis, against said Linn, and now pending against said Linn's administrator for other like services in defending said Linn.

Judgment against estate of William A. Linn to be satisfied.

Thomas C. Reynolds to be paid.

APPROVED, December 22, 1860.

CHAP. VI. — *An Act for the Relief of Lieutenant George L. Hartsuff, United States Army.*

January 5, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to pay, out of any money in the treasury not otherwise appropriated, to Lieutenant George L. Hartsuff, acting assistant commissary of subsistence, United States Army, the sum of three hundred and eighty dollars, lost by wreck of steamer "Lady Elgin," it being the amount of public funds he had in his possession while travelling under orders on board of said steamer, in the month of September, eighteen hundred and sixty, which sum he subsequently paid over to his successor, in order to balance his accounts on the books of the Treasury Department.

\$380 to be paid to George L. Hartsuff for public funds lost by accident.

APPROVED, January 5, 1861.

January 5, 1861. CHAP. VII. — *An Act for the Relief of Mrs. Eliza A. Merchant, Widow of the late First Lieutenant and Brevet Captain Charles G. Merchant, of the United States Army.*

Life pension to Eliza A. Merchant.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Eliza A. Merchant on the pension list, at the rate of fifteen dollars per month, to commence on the fourth day of March, one thousand eight hundred and sixty, and continue during her life.

APPROVED, January 5, 1861.

January 15, 1861. CHAP. VIII. — *An Act for the Relief of Jeremiah Pendergast, of the District of Columbia.*

Life pension to Jeremiah Pendergast.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Jeremiah Pendergast on the pension list, at the rate of eight dollars per month, from the fourth day of September, one thousand eight hundred and fifty-six, and to continue during his life, in lieu of the pension to which he is now entitled by law.

APPROVED, January 15, 1861.

January 15, 1861. CHAP. IX. — *An Act for the Relief of the Assignee of the Honorable David C. Broderick, deceased.*

Assignee of David C. Broderick to receive his pay and salary.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Senate of the United States is hereby authorized and directed to pay out of the contingent fund of the Senate, to the assignee of the Honorable David C. Broderick, deceased, late a Senator of the United States, the amount of compensation and salary due the deceased at the time of his death.

Repeal of laws inconsistent herewith.
 SEC. 2. *And be it further enacted,* That so much of any act as may conflict herewith is hereby repealed, in so far as it may interfere with the payment authorized in the first section of this act.

APPROVED, January 15, 1861.

January 15, 1861. CHAP. X. — *An Act for the Relief of Richard C. Martin.*

Payment to Richard C. Martin for lost draft.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of [the] Treasury is hereby authorized and directed to pay to Richard C. Martin, out of any money in the treasury not otherwise appropriated, the sum of one thousand and fifty dollars, in full of a lost draft drawn by G. W. Barbour, formerly Indian Commissioner in California, on Riddick McKee, disbursing agent, in favor of Thomas W. Lane, for beeves furnished to the government, which said draft was accepted by said Riddick McKee, and afterwards transferred and delivered to said Martin.

APPROVED, January 15, 1861.

January 19, 1861. CHAP. XII. — *An Act for the Relief of Franklin Torrey.*

Duplicate certificates of loan of 1848 to be issued to Franklin Torrey.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to cause five certificates of the loan of eighteen hundred and forty-eight, of one thousand dollars each, with coupons of semi-annual interest from the first of July eighteen hundred and fifty-eight attached thereto, to be issued to Franklin Torrey, or bearer, to replace that number of similar certificates, the property of said Torrey, which were destroyed by the burning of the steamer "Austria," in the year eighteen

hundred and fifty-eight: *Provided*, That before the issue of such new certificates said Torrey shall furnish to the acceptance of the First Comptroller of the Treasury such bond of indemnity as is usually required by the regulations of the Treasury Department for the issue of duplicate certificates of inscribed stock.

Proviso.
Torrey to give bond of indemnity.

APPROVED, January 19, 1861.

CHAP. XIII.—*An Act for the Relief of Samuel R. Franklin.*

January 23, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized and instructed to allow to Lieutenant Samuel R. Franklin, United States navy, in the settlement of his accounts, the difference between the pay he received as lieutenant, and the pay a purser would have received on board the United States sloop-of-war Falmouth, during the period in which he discharged the duties of purser on board said vessel: *Provided*, The same shall not exceed the sum of five hundred and ninety-eight dollars and sixty-three cents.

Lieut. Samuel R. Franklin to be allowed pay of purser.

APPROVED, January 23, 1861.

CHAP. XIV.—*An Act for the Relief of O. F. D. Fairbanks, Frederick Dodge, and the Pacific Mail Steamship Company.*

January 23, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any money in the treasury not otherwise appropriated, to O. F. D. Fairbanks the sum of two hundred and fifty dollars; to Frederick Dodge, Indian agent at Carson's Valley, six hundred and fourteen dollars and thirty-eight cents; and to the Pacific Mail Steamship Company, four hundred and twelve dollars and fifty cents for transportation, clothing, and board of the survivors of the Sublette Cut-off massacre, in Utah Territory, on the twenty-seventh of July, Anno Domini eighteen hundred and fifty-nine.

Payments to be made to O. F. D. Fairbanks, Frederick Dodge, and Pacific Mail Steamship Company.

APPROVED, January 23, 1861.

CHAP. XV.—*An Act for the Relief of Major Benjamin Alvord, Paymaster United States Army.*

January 23, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury Department be, and they are hereby, authorized and directed, in settling the accounts of Major Benjamin Alvord, paymaster United States army, to credit him in the sum of fourteen thousand dollars, that being the amount of public money for which he was accountable, lost by the shipwreck of the steamship Northerner, on the fifth January, eighteen hundred and sixty, near Cape Mendocino, California, it having been forwarded to him at Fort Vancouver, Washington Territory, per said vessel, by the assistant quartermaster at San Francisco.

Benjamin Alvord to be credited with \$14,000 public money lost.

APPROVED, January 23, 1861.

CHAP. XVI.—*An Act directing the Secretary of the Interior to liquidate the Accounts of Mitchell and Rammelsburg and Baker and Von Phul.*

January 23, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized and required to pay to Mitchell and Rammelsburg, their survivor or lawful assignee, for furnishing the United States court-rooms in the city of Cincinnati, Ohio, the sum of five hundred and

Payment of claim of Mitchell and Rammelsburg to be made.

fifty-two dollars and seventeen cents, which amount, when paid, shall be in full of their claim against the government.

And of Baker
and Von Phul.

SEC. 2. *And be it further enacted*, That the Secretary of the Interior be, and he is hereby, authorized and directed in like manner to pay to Baker and Von Phul, their survivor or assignee, the sum of one hundred and sixty-one dollars and twenty cents, in full of their account against the government for furniture for said court-room, and all other claims.

APPROVED, January 23, 1861.

January 23, 1861.

CHAP. XVII. — *An Act for the Relief of the Children of the late Captain E. A. Capron.*

Children of E.
A. Capron to
have arrears of
his pension.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officer of the Treasury Department be, and he is hereby, directed to pay to the children of the late Captain E. A. Capron, out of any moneys not otherwise appropriated, the sum of three hundred dollars, the same being arrears due on a pension granted August twentieth, eighteen hundred and forty-seven.

APPROVED, January 23, 1861.

January 26, 1861.

CHAP. XVIII. — *An Act granting a Pension to Eliza Reeves.*

Pension to Eli-
za Reeves during
widowhood.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Eliza Reeves on the invalid pension rolls of the United States, at the rate of nine dollars per month, to commence on the first day of January, eighteen hundred and sixty, and to continue during her widowhood.

APPROVED, January 26, 1861.

January 26, 1861.

CHAP. XIX. — *An Act to authorize the Institution of a Suit against the United States to test the Title to Lots Numbers Five and Six in the Hospital Square in San Francisco.*

Suit may be
brought against
the United States
to test the title of
certain lots in
Hospital Square,
San Francisco.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That J. G. Ames, S. W. Holladay, and James Blair, and their heirs, assigns, and legal representatives be, and they are hereby, authorized to institute a suit against the United States, in the circuit court of the United States for the State of California, for the purpose of recovering from the United States, two lots of ground, numbers five and six, in the square in the city of San Francisco on which a hospital has been erected by the United States; which lots are claimed to have been acquired by the said Ames, Holladay, and Blair, by deeds executed in their favor by the sheriff of the county of San Francisco on the twenty-third day of October, eighteen hundred and fifty-one. The said suit to be commenced by citation served on the district attorney of the United States for the northern district of California: *Provided*, That the United States shall have the right in any suit so brought to defend their claim to the title and possession of said property, or any part thereof, on any legal or equitable grounds.

How to be
commenced.
United States
to have all legal
and equitable de-
fences.

District attor-
ney to defend
such suit.

SEC. 2. *And be it further enacted*, That it shall be the duty of the said district attorney, under the direction and advice of the Attorney General of the United States, to defend any suit brought under the authority of the first section of this act, and to take all necessary measures at law or in equity for the protection and defence of the title to said lots.

Either party
may appeal.

SEC. 3. *And be it further enacted*, That either party may appeal or prosecute a writ of error to the Supreme Court of the United States from any final decision rendered by said circuit court in any suit instituted as aforesaid.

SEC. 4. *And be it further enacted*, That no suit shall be brought by virtue of the provisions of this act, unless the same be instituted within two years from the passage thereof. Suit to be instituted within two years.

SEC. 5. *And be it further enacted*, That in the event of a final judgment against the United States in any suit instituted as aforesaid, it shall be the duty of the proper accounting officers of the United States, who may be in charge and possession of said lots in behalf of the government, to deliver up to the claimants said lots, or such parts thereof as may, by said final judgment, be decreed to belong to them; and the said circuit court is hereby authorized to issue the process necessary and proper for carrying out the provisions of this act. Proceedings if final judgment is against the United States.

APPROVED, January 26, 1861.

CHAP. XXI.—*An Act for the Relief of David V. Whiting.*

January 29, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury cause to be paid to David V. Whiting, the sum of three thousand and forty dollars for his services as translator for the territorial government of New Mexico, from the eighth day of March, Anno Domini eighteen hundred and fifty-one, to the twenty-first day of September, Anno Domini eighteen hundred and fifty-two; and that said sum be paid out of any moneys remaining unexpended of the sums appropriated by Congress for the incidental expenses of the legislative assembly of said Territory; and should there be no surplus remaining of such moneys, then the same to be paid out of any moneys in the United States treasury not otherwise appropriated. Payment to David V. Whiting for services as translator.

APPROVED, January 29, 1861.

CHAP. XXII.—*An Act for the Relief of Robert A. Matthews.*

January 29, 1861

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of the General Land-Office be, and he is hereby, authorized and directed to pay to Robert A. Matthews, attorney of Charles W. Tosh, the amount of the price received from said Tosh for one hundred and fifty-five and sixty-two one hundredth acres of land, entered by him at the land-office, at Sioux City, in the State of Iowa, on the second October, eighteen hundred and fifty-six, as per register's certificate and receiver's receipt, both numbered four hundred and fifty-five, the said entry having since been cancelled as embracing land within the limits of the railroad grants made by Congress by act approved fifteenth May, eighteen hundred and fifty-six. Repayment to Robert A. Matthews of price of land entry since cancelled.

1856, ch. 28.
Vol. xi. p. 9.

APPROVED, January 29, 1861.

CHAP. XXIII.—*An Act authorizing the Secretary of the Interior to issue a Land Warrant to Daniel Davis.*

January 29, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a land warrant for one hundred and sixty acres to Daniel Davis for his services as a teamster in Wayne's war, in seventeen hundred and ninety-five. Land-warrant to issue to Daniel Davis.

APPROVED, January 29, 1861.

CHAP. XXIV.—*An Act for the Relief of Sampson Stanfill.*

January 31, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Sampson Stanfill shall be,

Judgment
against Sampson
Stanfill discharg-
ed.

and hereby is, released and discharged from all claim and demand of the United States to the balance of money now remaining due upon a certain judgment recovered against the said Sampson Stanfill in favor of the United States before the circuit court of the United States of Tennessee, holden at Knoxville, which said judgment was recovered on a recognizance entered into by the said Sampson Stanfill as a surety for one Lewis G. Stanfill.

APPROVED, January 31, 1861.

February 5, 1861. CHAP. XXV.—*An Act to authorize the Extension and Use of a Branch of the Alexandria, Loudoun, and Hampshire Railroad within the City of Georgetown.*

Alexandria,
Loudoun, and
Hampshire rail-
road may extend
a branch road in-
to Georgetown.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Alexandria, Loudoun, and Hampshire Railroad Company be, and they are hereby, authorized and empowered to extend a branch of their railroad into and within the city of Georgetown, in the District of Columbia, and that said company shall have and exercise the same rights and powers and be subject to the same regulations and restrictions, in regard to the construction and use of such extension, as are or may be granted and prescribed by the charter of said company in regard to the main stem of said road, or by the laws of Virginia in relation to railroads within that State.

City authorities
to regulate the
running of the
cars.

SEC. 2. *And be it further enacted,* That the corporate authorities of the city of Georgetown shall have power to regulate the manner and speed of running the cars of said company within the limits of said city.

On what streets,
&c., branch to be
built.

SEC. 3. *And be it further enacted,* That the said company shall have power to construct and operate their said extension upon such streets and public ways in said city as may be deemed most expedient by the said company, and with the consent of the corporate authorities of said city.

Provision for
land damages.

SEC. 4. *And be it further enacted,* That the Circuit Court of the District of Columbia, and the several officers thereof, shall have and exercise all the powers and duties in relation to the condemnation and acquisition of land or other property by the said company for the purposes of such extension of their branch as are or may be possessed and exercised by the courts of Virginia and their officers in regard to the same; and the same proceedings shall be had therein as are or may be prescribed or authorized by the laws of Virginia in such cases.

APPROVED, February 5, 1861.

February 5, 1861. CHAP. XXVI.—*An Act granting an Increase of Pension to William G. Bernard, late a Soldier in the United States Army.*

Pension of Wil-
liam G. Bernard
increased.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of William G. Bernard, of the State of New York, on the roll of invalid pensions, at the rate of twenty-five dollars per month, commencing on the eleventh day of June, Anno Domini, eighteen hundred and fifty-nine, in lieu of the pension he now receives.

APPROVED, February 5, 1861.

February 5, 1861.

CHAP. XXVII.—*An Act for the Benefit of Gabriel J. Johnston.*

Land-entry of
Gabriel J. John-
ston confirmed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the entry made by Gabriel J. Johnston, of Jefferson county, Missouri, on the second day of November, eighteen hundred and twenty-nine, of the northeast quarter of section number eleven, in township number forty-one north, of range number four east, in the district of lands subject to sale at Saint Louis, Missouri, be,

and the same is hereby, confirmed and declared valid, notwithstanding said tract of land was at the time of entry reserved from sale as mineral lands. And the Commissioner of the General Land-Office is hereby authorized and required to issue to said Gabriel J. Johnston a patent for said tract, as in ordinary cases of the entry of public lands subject to sale at private entry.

SEC. 2. *And be it further enacted*, That this act shall not be construed to interfere with any existing rights of third persons, but shall only operate as a relinquishment of the title of the United States.

Title of the United States only released.

APPROVED, February 5, 1861.

CHAP. XXVIII.—*An Act for the Relief of F. M. Beauchamp and Betsy D. Townsend.* February 5, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That F. M. Beauchamp and Betsy D. Townsend be, and they are hereby, released from the payment of the sum of four thousand dollars, and all interest thereon, being the principal of a replevin bond executed by said Beauchamp, as principal, and said Townsend, his security, on the twenty-first day of November, eighteen hundred and sixty, payable to the United States of America; and the same is not to be collected by any officer of the United States.

Bond of F. M. Beauchamp and Betsy D. Townsend not to be paid.

APPROVED, February 5, 1861.

CHAP. XXXI.—*An Act for the Relief of Mary K. Guthrie, Widow of Presley N. Guthrie.* February 8, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Mary K. Guthrie, widow of Presley N. Guthrie, on the pension roll, at the rate of thirty dollars per month, from the twenty-ninth day of December, eighteen hundred and fifty-seven, to continue during widowhood.

Pension to Mary K. Guthrie during widowhood.

APPROVED, February 8, 1861.

CHAP. XXXII.—*An Act for the Relief of Moses Meeker.* February 8, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be instructed to ascertain, as in the case of John P. B. and Henry Gratiot, what amount, if any, of rent was exacted by the United States agents of lead mines from Moses Meeker for lead mined and smelted upon the lands of the Ottawa, Pottawatomie, Chippewa, Winnebago, or other tribes of Indians, prior to the purchase thereof by the United States, and pay such amount as may be legally proved to have been actually paid by the said Moses Meeker to such agents of the United States, to Moses Meeker, or his legal representatives, out of any money in the treasury not otherwise appropriated.

Payment to Moses Meeker.

APPROVED, February 8, 1861.

CHAP. XXXIV.—*An Act for the Relief of Aaron H. Palmer.* February 13, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Aaron H. Palmer, out of any money in the treasury not otherwise appropriated, the sum of three thousand dollars, in full compensation for his labor and research in collecting information, and preparing the same for the use of the government, relative to the Oriental nations, and particularly Japan.

\$3,000 to be paid Aaron H. Palmer.

APPROVED, February 13, 1861.

February 13, 1861.

CHAP. XXXV.—*An Act granting a Pension to Gregory Patti.*

Gregory Patti to have pension from Jan. 1, 1860, of \$7.50 a month.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Gregory Patti on the list of invalid pensions, at the rate of seven dollars and fifty cents per month, and pay him a pension at that rate, from the first day of January, eighteen hundred and sixty, and continue during his natural life.

APPROVED, February 13, 1861.

February 16, 1861.

CHAP. XXXVI.—*An Act for the Relief of the Parish of Saint Matthew's Church, of the City of Washington.*

Parish priest of St. Matthew's Church may sell certain lots in Washington.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Charles J. White, parish priest of Saint Matthew's Church, in the City of Washington, District of Columbia, be, and he is hereby, authorized and empowered to sell certain lots of ground deeded to the priest of said parish by the late William Easby, Commissioner of Public Buildings and Grounds, and known in the plat of said Washington city as lots numbered five, six, seven, eight, nine, ten, eleven, twelve, thirteen, and fourteen, in square numbered two hundred and thirty-six; the proceeds of such sale to be applied to the uses and benefit of the said parish.

APPROVED, February 16, 1861.

February 18, 1861.

CHAP. XXXIX. — *An Act for the Relief of John Peebles.*

\$25 to be paid John Peebles for services as surveyor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, directed, out of any money in the treasury not otherwise appropriated, to pay to John Peebles the sum of twenty-five dollars, in full for his services as surveyor, performed under the direction of John Cuthbert, timber agent for the southern district of Alabama.

APPROVED, February 18, 1861.

February 18, 1861.

CHAP. XL. — *An Act for the Relief of Townsend Harris or his Heirs or legal Representatives.*

\$10,000 to be paid Townsend Harris or his representatives, for negotiating treaty with Siam.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be allowed to Townsend Harris, out of any money in the treasury not otherwise appropriated, for his services and expenses in negotiating a treaty of commerce between the kingdom of Siam and the United States, the sum of ten thousand dollars; the said sum to be paid to the said Townsend Harris, or to any attorney of said Harris under any power of attorney executed by him, whether before or after the passage of this act, or to the heirs or legal representatives of the said Harris.

APPROVED, February 18, 1861.

February 18, 1861.

CHAP. XLI. — *An Act for the Relief of William Cowing.*

\$126 to be paid William Cowing for services as clerk.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to William Cowing one hundred and twenty-six dollars, out of any money in the treasury not otherwise appropriated, in full for additional allowance as clerk, under the provisions of the second section of the "Act making appropriations for the civil and

diplomatic expenses of the government," approved August thirty-one, eighteen hundred and fifty-two. 1852, ch. 108, § 2. Vol. x. p. 97.

APPROVED, February 18, 1861.

CHAP. XLIII.—*An Act for the Relief of Randall Pegg.*

February 19, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, required to pay to Randall Pegg, out of any money in the treasury not otherwise appropriated, one hundred and ninety-nine dollars and fifty-eight cents, being the difference between the pay allowed him as a watchman on the construction of the Patent Office extension and that allowed to other watchmen.

\$199.58 to be paid Randall Pegg for services as watchman.

APPROVED, February 19, 1861.

CHAP. XLVI.—*An Act for the Relief of Laura C. Humber, Widow of Charles H. Humber.*

February 20, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Laura C. Humber, widow of Charles Humber, late captain in the seventh regiment of the United States infantry, upon the pension roll, and to pay her at the rate of twenty dollars per month, to continue for life or widowhood.

Laura C. Humber to have pension of \$20 a month for life or widowhood.

APPROVED, February 20, 1861.

CHAP. XLVII.—*An Act for the Relief of James Smith.*

February 20, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and required to place the name of James Smith, now of the city of Washington, late a soldier in the war with Mexico, and on the frontiers of Texas, on the invalid pension roll, at the rate of eight dollars a month, to commence on the fourth day of March, eighteen hundred and fifty-eight, and to continue during his lifetime.

James Smith to have pension of \$8 a month from March 4, 1858, for life.

APPROVED, February 20, 1861.

CHAP. XLVIII.—*An Act for the Relief of Annie D. Reeves.*

February 20, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and required to place the name of Annie D. Reeves, widow of J. S. K. Reeves, late captain in the first regiment artillery, United States army, on the pension roll, at the rate of half pay proper, commencing on the first day of January, eighteen hundred and sixty, and to continue during life.

Annie D. Reeves to have pension from Jan. 1, 1860, for life.

APPROVED, February 20, 1861.

CHAP. L.—*An Act for the Relief of Samuel S. Green.*

February 23, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fines imposed by the Post-Office Department on Samuel S. Green, of New Orleans, while carrying the mail on route number three thousand five hundred and three, from New Orleans and other ports on the Gulf of Mexico, to Key West, and back, when he failed to depart from or arrive at any port named in his contract with the mails at precisely "schedule time," be, and the same are hereby, remitted; and that the accounting officers of the treasury be,

Fines imposed on Samuel S. Green for failures in his mail-contract to be remitted, and his accounts to be settled.

and they are hereby, directed to settle his account, and allow the amount of said fines and the balance due him on his contract, and that the same be paid out of any money in the treasury not otherwise appropriated.

APPROVED, February 23, 1861.

February 23, 1861.

CHAP. LI.—*An Act for the Relief of James Floyd.*

Life-pension to
James Floyd.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of James Floyd on the invalid pension rolls of the United States, at the rate of eight dollars per month, said pension to commence on the twenty-eighth day of January, eighteen hundred and fifty-eight, and to continue during his natural life.

APPROVED, February 23, 1861.

February 23, 1861.

CHAP. LII.—*An Act for the Relief of Mary Walbach, Widow of the late Brevet Brigadier General John De B. Walbach, of the United States Army.*

Life-pension to
Mary Walbach.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be directed to place the name of Mary Walbach, widow of the late Brevet Brigadier General John De B. Walbach, on the pension roll, at the rate of fifty dollars per month, commencing on the tenth day of June, eighteen hundred and fifty-seven, for and during her natural life.

APPROVED, February 23, 1861.

February 23, 1861.

CHAP. LIII.—*An Act for the Relief of Azel Spalding.*

Payment to
Azel Spalding for
disbursements as
pension agent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to Azel Spalding, out of any money in the treasury not otherwise appropriated, two hundred and twenty-six dollars and sixty-nine cents, being two per centum on moneys disbursed by him as pension agent in the year eighteen hundred and forty-one.

APPROVED, February 23, 1861.

February 23, 1861.

CHAP. LIV.—*An Act for the Relief of Captain Alexander V. Frazer.*

Payment to
Alexander V.
Frazer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed, out of any money in the treasury not otherwise appropriated, to allow and pay to Alexander V. Frazer the sum of three thousand nine hundred and twenty dollars, being an allowance of thirty-five cents a ration upon eleven thousand two hundred rations furnished by him to the government for the crew of the United States revenue cutter Lawrence in the year eighteen hundred and forty-nine.

APPROVED, February 23, 1861.

February 23, 1861.

CHAP. LV.—*An Act for the Relief of Samuel Perry.*

Payment to
Samuel Perry.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to Samuel Perry out of any money in the treasury not otherwise appropriated, the sum of six hundred and thirty-eight dollars and ninety-eight cents, it being the amount which was improperly deducted from his freight for the transportation of Indian

supplies in the year eighteen hundred and thirty-seven, a portion of which were lost by the sinking of a flat boat.

APPROVED, February 23, 1861.

CHAP. LXII.—*An Act for the Relief of Thomas Chittenden.*

February 28, 1861

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, required to place the name of Thomas Chittenden, of the State of Wisconsin, on the roll of invalid pensioners, at the rate of eight dollars per month; said pension to commence on the first day of January, one thousand eight hundred and fifty-eight, and to continue during his natural life.

Invalid pension to Thomas Chittenden.

APPROVED, February 28, 1861.

CHAP. LXIII.—*An Act for the Relief of Messrs. Coale & Barr.*

March 1, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to Messrs. Coale & Barr the sum of two hundred and four dollars, out of any money in the treasury not otherwise appropriated, in full payment for publishing the laws of the second session of the thirty-second Congress in the "Abingdon Virginian."

Payment to Coale & Barr for publishing laws.

APPROVED, March 1, 1861.

CHAP. LXIV.—*An Act for the Relief of Augustus H. Evans.*

March 1, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, directed out of any money in the treasury not otherwise appropriated, to pay to Augustus H. Evans, the sum of eight hundred dollars in full for his services as clerk, in the State of Missouri, during the years eighteen hundred and thirty-five and eighteen hundred and thirty-six.

Payment to Augustus H. Evans as clerk.

APPROVED, March 1, 1861.

CHAP. LXV.—*An Act granting a Pension to Prentis Champlain.*

March 1, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and instructed to place the name of Prentis Champlain on the invalid pension rolls of the United States, at the rate of eight dollars per month, to commence on the twenty-third day of March, eighteen hundred and sixty, and to continue during his natural life.

Invalid pension to Prentis Champlain.

APPROVED, March 1, 1861.

CHAP. LXVI.—*An Act to Confirm a certain Private Land Claim in the Territory of New Mexico.*

March 1, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the private land claim in the Territory of New Mexico, as recommended for confirmation by the Surveyor General of that Territory, and in his report to the Commissioner of the General Land Office, of November twenty-fourth, eighteen hundred and sixty, designated as number forty-three, be, and the same is hereby, confirmed: *Provided,* That the foregoing confirmation shall only be construed as quit claim or relinquishment, on the part of the United States, and shall not affect the adverse rights of any other person or persons whomsoever.

Private land-claim in New Mexico confirmed.

APPROVED, March 1, 1861.

March 1, 1861. CHAP. LXVII. — *An Act for the Relief of Greenbury M. Watkins, of Montgomery County, Maryland.*

Patent for a quarter section of land to issue to Greenbury M. Watkins.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of the General Land Office be, and he is hereby, authorized and required to cancel the patent issued in the name of Thomas Stewart for the northeast quarter of section twenty-five, in township eight, of range nineteen, in the district of lands subject to sale at Fort Leavenworth, Kansas, bearing date the first day of October, A. D. eighteen hundred and fifty-eight, and numbered one hundred and ninety-eight; and that said Commissioner be, and he is hereby, authorized and directed to issue a patent for the said northeast quarter of section twenty-five, in township eight, of range nineteen, to Greenbury M. Watkins, of Montgomery county, Maryland, as the assignee of the said Stewart.

APPROVED, March 1, 1861.

March 2, 1861.

CHAP. LXXXIX. — *An Act for the Relief of Richard Chenery.*

Payment to Richard Chenery, assignee of Horace P. Russ.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Customs be, and he is hereby, directed to settle the account of Richard Chenery, assignee of Horace P. Russ, for the construction by the latter of the granite paving on Battery street, in front of the United States custom-house, at San Francisco, and to pay him such sum as may be shown to be legally and equitably due out of any moneys in the treasury not otherwise appropriated: *Provided,* The said sum shall not exceed three thousand eight hundred and ninety dollars.

APPROVED, March 2, 1861.

March 2, 1861.

CHAP. XC. — *An Act for the Relief of William Sutton.*

Invalid pension to William Sutton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of William Sutton on the roll of invalid pensioners, and cause him to be paid the sum of six dollars per month, to commence from and after the fifth day of February, eighteen hundred and fifty-eight, and to continue during the period of his natural life.

APPROVED, March 2, 1861.

March 2, 1861.

CHAP. XCI. — *An Act granting a Pension to Jane Yates.*

Pension to Jane Yates, from Jan. 1, 1860.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Jane Yates on the invalid pension rolls of the United States, at the rate of four dollars per month; said pension to commence on the first day of January, eighteen hundred and sixty, and to continue during her widowhood.

APPROVED, March 2, 1861.

March 2, 1861.

CHAP. XCII. — *An Act granting an Invalid Pension to Charles Appleton.*

Invalid pension to Charles Appleton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Charles Appleton on the invalid pension rolls of the United States, at the rate of eight dollars per month, to commence on the first day of January, eighteen hundred and sixty, and to continue during his lifetime.

APPROVED, March 2, 1861.

CHAP. XCIII. — *An Act for the Relief of John Y. Sewell.*

March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Y. Sewell, for services in the restoration of the United States mail lost from the steamer Southerner on the coast of Washington Territory, and for expenses incurred in obtaining the same from the Indians who had it in their possession, be, and he is hereby, allowed the sum of one thousand dollars in full for his claim therefor, to be paid out of any money in the treasury not otherwise appropriated.

Payment to John Y. Sewell for services in recovering a lost mail.

APPROVED, March 2, 1861.

CHAP. XCIV. — *An Act for the Relief of Mrs. Mary Ann Henry.*

March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Pensions be, and he is hereby, authorized and required to place the name of Mrs. Mary Ann Henry, of Pennsylvania, widow of the late Captain Henry Henry, of the United States navy, on the naval pension roll, at the rate of twenty dollars per month, to commence from the first January, eighteen hundred and fifty-eight, the date of her application, and to continue during her life, unless she shall again marry, in which case the pension shall cease from the date of said marriage.

Naval pension to Mary Ann Henry.

APPROVED, March 2, 1861.

CHAP. XCV. — *An Act for the Relief of Simon de Visser and Jose Villarubia, of New Orleans.*

March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Simon de Visser and Jose Villarubia, jr., merchants of New Orleans, be, and they are hereby, released from the payment of all claims, penalties, and forfeitures which may legally exist against them, in favor of the United States, arising out of frauds committed in the custom-house of New Orleans by one Charles Meteye, they having been judicially declared to be entirely innocent of said frauds; and especially [that] they be released from the penalties and forfeitures claimed by reason of said frauds in two suits now pending in the district court of the United States for the eastern district of Louisiana, in which the United States are plaintiffs, and said de Visser and Villarubia are defendants: *Provided,* That the said defendants shall pay all costs incurred in said suits, and that the rights of the United States against said Charles Meteye be, and they are hereby, expressly reserved: *And provided further,* That the intent and meaning of this act shall in no case be construed into a release of the said Simon de Visser and Jose Villarubia of or from any duties justly chargeable upon the goods and merchandise entered in their behalf by the said Charles Meteye, in the absence of any fraud attempted or committed in their entry by the said Meteye.

Simon de Visser and Jose Villarubia released from certain penalties.

To pay costs.

Meaning of this act.

APPROVED, March 2, 1861.

CHAP. XCVI. — *An Act for the Relief of John H. Wheeler.*

March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed, out of any money in the treasury not otherwise appropriated, to pay to John H. Wheeler, late minister resident of the United States at Nicaragua, the sum of five thousand seven hundred and fifteen dollars and twenty cents, in full for losses by exchange, for property destroyed at Granada, expenses incurred in taking testimony at San Juan del Norte, and for relief extended to distressed American citizens crossing the Isthmus during the interval between

Payment to John H. Wheeler for losses and expenditures.

October, eighteen hundred and fifty-four, and October, eighteen hundred and fifty-six.

APPROVED, March 2, 1861.

March 2, 1861.

CHAP. XCVII. — *An Act for the Relief of Katherine K. Russell.*

Pension to Katherine K. Russell.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of Katherine Kirby Russell be, and the same is hereby, placed upon the pension list of the United States of America.

Amount of pension and for widowhood.

SEC. 2. *And be it further enacted,* That the Secretary of the Interior be, and he is hereby, directed to pay to said Katherine K. Russell the sum of twenty-five dollars per month, and this sum to commence and to be computed from and after the first day of January, eighteen hundred and fifty-five, and the same to continue during her widowhood.

APPROVED, March 2, 1861.

March 2, 1861.

CHAP. XCVIII. — *An Act for the Relief of Leslie Combs and Robert H. Crittenden, Sureties of the late A. J. Mitchell, Purser in the United States Navy.*

Leslie Combs and Robert H. Crittenden relieved from judgment against them as sureties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Leslie Combs and Robert H. Crittenden be, and they are hereby, relieved from all liability as sureties of the late Purser A. J. Mitchell, United States navy, on account of any balance found due to the United States from said Mitchell, upon the settlement of his accounts as Purser of the United States steamer "Michigan," and that any judgment based upon such liabilities be, and the same is hereby, released.

APPROVED, March 2, 1861.

March 2, 1861.

CHAP. XCIX. — *An Act for the Relief of Eliza B. Mills, Widow of Robert Mills.*

Payment to Eliza B. Mills for services of her husband, since deceased.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any money in the treasury not otherwise appropriated, to Eliza B. Mills, widow of Robert Mills, the sum of five hundred dollars, in payment for services of the said Robert Mills as architect in preparing and furnishing plans and estimates for a marine hospital at New Orleans, and a public printing office in the city of Washington.

APPROVED, March 2, 1861.

March 2, 1861.

CHAP. C. — *An Act for the Relief of Henry Rice.*

Payment to Henry Rice.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the treasury not otherwise appropriated, to Henry Rice, the sum of ten thousand five hundred and thirty-nine dollars and eighty-eight cents, being a repayment to him of that sum paid by him into the treasury as and for duties upon goods imported into Castine, while in possession of the British forces; the same not being by law subject to the payment of duty, under the decision of the Supreme Court of the United States.

APPROVED, March 2, 1861.

March 2, 1861.

CHAP. CL — *An Act granting a Pension to Eliza M. Plympton.*

Pension to Eliza M. Plympton.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be directed to place the name of Eliza M. Plympton, widow of the late Colonel Joseph Plympton of the United States Army on the pension

roll, at the rate of thirty dollars a month, from the fifth day of June, one thousand eight hundred and sixty, for and during her natural life.

APPROVED, March 2, 1861.

CHAP. CII. — *An Act to enable the Trustees of the Bluemont College to preëempt a certain Quarter Section of Land, and for other Purposes.* March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following persons: Isaac Goodnow, S. D. Houston, Washington Marlatt, Charles E. Blood, Joseph Dennison, William H. McCollom, John Paulson, John Pipher, and John Kimball, trustees of the Bluemont College Association be, and they are hereby, empowered to enter at the proper land-office, the following described quarter section of land, to wit:

Bluemont College Association to preëempt certain land in Kansas.

The southwest quarter of section twelve, (12,) township ten south, of range seven east, in the district of lands subject to sale at Junction City, in Kansas Territory; for the use and benefit of the said college association, the said property to be held exclusively for the benefit of the said college, and to be regulated or disposed of under such rules and regulations as the legislature of the Territory or State may prescribe.

APPROVED, March 2, 1861.

CHAP. CIII. — *An Act for the Relief of Taylor Dudley, of Minnesota.* March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Taylor Dudley, of Benton county, Minnesota, the sum of three hundred and seventy dollars, out of any moneys in the treasury not otherwise appropriated: the same being due the said Dudley for services as clerk of the United States District Court for the second and third Judicial Districts of the late Territory of Minnesota.

Payment to Taylor Dudley.

APPROVED, March 2, 1861.

CHAP. CIV. — *An Act for the Confirmation of the Title to the Saline Lands in Jackson County, State of Illinois, to D. H. Brush, and Others.* March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the title to all the lands sold as saline lands in Jackson county, State of Illinois, as follows, to D. H. Brush and others, namely: To D. H. Brush, the northwest, northeast, and southwest quarters of the southwest quarter of section eight, township nine, of range two; southwest, and southeast quarters of the northeast quarter, northwest and northeast quarters of the southeast quarter, southeast quarter of the southwest quarter, and southwest and southeast quarters of the southeast quarter of section one, township nine, of range three: To Edward Holden, the northeast, southeast, northwest and southwest quarters of the southeast quarter of section seven, township nine, of range two; northwest, southwest, and northeast quarters of the northwest quarter of section one, township nine, of range three: To Joseph Sorrels, the northwest and northeast quarters of the southwest quarter of section seven, township nine, of range two: To Daniel Worthen, the southwest quarter of the southwest quarter of section seven, township nine, of range two; northeast quarter of the northwest quarter, and northwest quarter of the northeast quarter of section one, township nine, of range three: To William Qualls, the southeast quarter of the southwest quarter of section eight, township nine, of range two: To William Woolsey, the southeast quarter of the southeast quarter of section seven, township nine, of range two: To Richard Worthen, the west half of the northwest quarter

Title to saline lands in Jackson county, Illinois, confirmed to D. H. Brush.

Edward Holden.

Joseph Sorrels.

Daniel Worthen.

William Qualls.

William Woolsey.

Richard Worthen.

of the southwest quarter of section one, township nine, of range three :

George Elmore. To George Elmore, the northwest and northeast quarters of the northwest quarter, and southeast quarter of the southwest quarter of section thirty-five, township eight, of range three : To Alexander Morris, the southwest and southeast quarters of the northeast quarter of section thirty-five, township eight, of range three : To Doctor Logan, the northwest quarter of the northwest quarter of section thirty-one, township eight, of range two : To John G. Sparks, the northwest and northeast quarters of the southeast quarter of section thirty-one, township eight, of range two : To Stephen Holliday, the southwest quarter of the southeast quarter of the southeast quarter of section thirty-one, township eight, of range two : To Isaac Morgan, the southwest quarter of the northwest quarter of section thirty-five, township eight, of range three : To A. Crow, the northeast quarter of the northeast quarter, of section one, township nine, of range three : To William Woolsey, the northeast quarter of the northwest quarter, and the northwest quarter of the northeast quarter of section thirty-one, township eight, of range two : To T. M. Logan, the northeast and southwest quarters of the northeast quarter of section thirty-one, township eight, of range two : To Edward Holden, the southwest quarter of the northwest quarter, and the northwest and northeast quarters of the southwest quarter of section thirty-one, township eight, of range two : To John Logan, the southwest and southeast quarters of the southwest quarter of section thirty-one, township eight, of range two : To Cyrus Thomas, the northeast quarter of the northwest quarter of section thirty-one, township eight, of range two : To Edward Holden, the southwest quarter of the northwest quarter, and the northeast and northwest quarters of the southwest quarter of section thirty-one, township eight, of range two : To Hall Neilson, the southwest quarter, and east half of the northwest quarter of the southwest quarter of section one, township nine, of range three : To Richard Worthen, the southwest quarter of the northeast quarter of section thirty-five, township eight, of range three : and to John Sorrels, the northeast quarter of the northeast quarter of section thirty-five, township eight, of range three, be, and the same is hereby, confirmed to the several purchasers herein mentioned, (from the county of Jackson, and State of Illinois,) and be as valid as if originally purchased from the United States of America.

APPROVED, March 2, 1861.

March 2, 1861.

CHAP. CV.—*An Act for the Relief of Thomas G. Corbin.*

Payment to
Thomas G. Corbin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury pay to Lieutenant Thomas G. Corbin, United States navy, the sum of two hundred and ninety-three dollars and fifteen cents, out of any money in the treasury not otherwise appropriated.

APPROVED, March 2, 1861.

March 2, 1861.

CHAP. CVI.—*An Act for the Relief of Daniel B. Hibbard.*

Payment to
Daniel B. Hibbard
for carrying the mail.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster-General of the United States be, and he is hereby, authorized and directed to pay, out of any moneys in the treasury not otherwise appropriated, to Daniel B. Hibbard the sum of eight hundred and thirty dollars, in full compensation for his services in transporting the United States mail between the villages of St. Johns and Lyons, in the State of Michigan, under his agreement with the deputy postmaster at said St. Johns.

APPROVED, March 2, 1861.

CHAP. CVII.—*An Act for the Relief of Lewis Warrington, Paymaster, United States Navy.* March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury be, and they are hereby, authorized and directed, in the settlement of the accounts of Lewis Warrington as Paymaster of the Pensacola Navy Yard where the proper vouchers cannot be produced, to receive and allow statements verified by his oath, of expenditures or losses incurred in consequence of the forcible seizure and detention of the papers and property of the government at said yard by the military of the State of Florida: *Provided,* That the Secretary of the Navy shall be satisfied that said Warrington's vouchers are improperly withheld from him.

Accounts of Lewis Warrington, how to be settled.

APPROVED, March 2, 1861.

CHAP. CVIII.—*An Act for the Relief of Commander Thomas J. Page, United States Navy.* March 2, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury be authorized and directed to allow to Commander Thomas J. Page, of the United States navy, in the adjustment of his accounts as purser of the United States steamer Water Witch, credit for certain suspended items of said accounts, not to exceed the sum of three hundred and fifty-four dollars and forty-six cents.

Certain suspended items in the accounts of Thomas J. Page as purser to be allowed.

APPROVED, March 2, 1861.

CHAP. CIX. — *An Act for the Relief of Hockaday and Ligget.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of forty thousand dollars be allowed to Hockaday and Ligget, in full payment for damages sustained by them in reduction of pay for carrying the mails on route number eight thousand nine hundred and eleven, and that said amount be paid to William Ligget for and on account of Hockaday and Ligget, and for their benefit, out of any moneys in the Treasury of the United States not otherwise appropriated.

\$40,000 to be paid Hockaday and Ligget for damages.

[Signed]

WM. PENNINGTON,
Speaker of the House of Representatives.

[Signed]

JOHN C. BRECKINRIDGE,
Vice-President of the United States and President of the Senate.

Endorsed by the PRESIDENT:

“Received, Saturday, February 16, 1861.”

RESOLUTIONS.

January 23, 1861.

[No. 3.] *A Resolution for the Relief of Lieutenant John C. Carter.*Lieutenant John
C. Carter to have
pay as purser.

Vol. x. p. 869.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury, in the settlement of the accounts of Lieutenant John C. Carter, of the United States navy, be, and they are hereby, authorized and directed to allow him the sum provided in the joint resolution of Congress approved February thirteen, eighteen hundred and fifty-five, for such expenses as were incurred by him whilst acting as purser on board the ship Massachusetts while undergoing repairs at San Francisco, California, deducting therefrom the sum which has been paid or allowed him on account of the same since the date of the passage of the aforesaid joint resolution: *Provided,* The same shall not exceed the sum of nine hundred and fifty-five dollars and thirty-six cents.

Proviso.

APPROVED, January 23, 1861.

February 9, 1861.

[No. 4.] *Joint Resolution extending the Time for taking Testimony on the Application of Cyrus H. McCormick, for the Extension of his Patent.*Those oppos-
ing the extension
of McCormick's
patent to have
further time to
take testimony.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the further time of ninety days be given to parties interested in resisting the extension of the patent of Cyrus H. McCormick, for his patent reaper, or his improvements or modifications of the same, to enable them to take testimony in opposition to said extension, to be used before the Commissioner of Patents, on the hearing of the application of said McCormick for an extension of said patent.

APPROVED, February 9, 1861.

February 13, 1861.

[No. 6.] *Joint Resolution for the Benefit of Duvall and Brothers.*Payment to be
made to Duvall
and Brothers, as-
signees of R. A.
Davidge.1859, ch. 43.
Vol. xi. p. 561.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Duvall and Brothers, merchant tailors in the city of Washington, assignees of R. A. Davidge, the amount of money appropriated for the benefit of said Davidge, by an act of Congress approved eighteenth February, eighteen hundred and fifty-nine.

APPROVED, February 13, 1861.

February 16, 1861.

[No. 7.] *Joint Resolution directing the Accounting Officers of the Treasury to settle the Accounts of the late Robert Stockton, Quartermaster, and so forth.*Accounts of
Robert Stockton
to be settled.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury Department be, and they are hereby, directed to settle the accounts of the late Robert Stockton, of New Jersey, an assistant quartermaster and forage master in the war of the Revolution, and pay to his legal heirs and representatives such sum or sums as may be

shown due upon sufficient proof of his service as quartermaster aforesaid, out of any money in the Treasury not otherwise appropriated.

APPROVED, February 16, 1861.

[No. 8.] *Joint Resolution authorizing the proper Accounting Officers of the Treasury to revise and adjust the Account of John Randolph Clay, United States Minister to Peru.* February 20, 1861.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury be authorized and required to revise and adjust the account of John Randolph Clay, as minister to Peru.

APPROVED, February 20, 1861.

[No. 10.] *A Resolution to repeal the Joint Resolution approved June fifteenth, eighteen hundred and sixty, for the Relief of William H. Degroot.* February 21, 1861.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the joint resolution, approved June fifteen, eighteen hundred and sixty, for the relief of William H. Degroot, be, and the same is hereby, repealed; and that the Secretary of War be, and he is hereby, directed to transmit all the papers in his department relating to the case of the said William H. Degroot, to the Court of Claims for examination.

Joint resolution for the relief of William H. Degroot, repealed.
Papers to be sent to the court of claims.

APPROVED, February 21, 1861.

[No. 19.] *Joint Resolution repealing a Resolution relating to the Claim of George Fisher, late of Florida, deceased, approved June one, eighteen hundred and sixty.* March 2, 1861.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That a resolution entitled "A resolution relating to the claim of George Fisher, late of Florida, deceased," passed at the first session of this Congress, and approved June one, eighteen hundred and sixty, be, and the same is hereby, rescinded, and the same, and all proceedings under it, are hereby made null and void.

Resolution as to claim of George Fisher, repealed.

APPROVED, March 2, 1861.

[No. 20.] *Joint Resolution for the Benefit of George H. Giddings.*

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That George H. Giddings be paid for services on that portion of the route eight thousand and seventy-six, lying between El Paso and San Antonio, in accordance with the order of Postmaster-General A. V. Brown, of October twenty-third, eighteen hundred and fifty-eight, after deducting whatever has been received thereon up to June thirty, eighteen hundred and sixty-one, on proof being furnished that the trips have been performed. The said amount to be paid on the certificate of the Postmaster-General, out of any money in the Treasury not otherwise appropriated; and to be accepted by the said Giddings in full for all claims of service and damage thereon against the United States.

Payment to George H. Giddings.

[Signed] WM. PENNINGTON,

Speaker of the House of Representatives.

[Signed] JOHN C. BRECKINRIDGE,

Vice-President of the United States and President of the Senate.

ENDORSED BY THE PRESIDENT.

"Received, 18th February, 1861."

PRIVATE ACTS OF THE THIRTY-SEVENTH CONGRESS
OF THE
UNITED STATES,

*Passed at the first session * which was begun and held at the City of Washington, in the District of Columbia, on Thursday, the fourth day of July, A. D. 1861, and ended on Tuesday, the sixth day of August, A. D. 1861.*

ABRAHAM LINCOLN, President. HANNIBAL HAMLIN, Vice-President, and President of the Senate. SOLOMON FOOTE was elected President of the Senate, *pro tempore*, on the eighteenth day of July, and continued so to act until the close of the session. GALUSHA A. GROW, Speaker of the House of Representatives.

CHAP. XIV. — *An Act for the Relief of the Widows and Orphans of the Officers, Seamen, and Marines of the United States Sloop-of-war Levant, and for other Purposes.*

July 24, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of fixing the time at which shall commence the pensions, under the existing laws, of the widows and orphan children of the officers, seamen, marines, and others in service, who were lost in the United States sloop-of-war Levant, as well as the time to which the pay of said officers, seamen, marines, and others in the service, shall be allowed, the thirtieth day of June, one thousand eight hundred and sixty-one, shall be deemed and taken to be the day on which the said sloop-of-war Levant foundered at sea.

The Levant to be deemed as lost June 30, 1861, for certain purposes.

SEC. 2. *And be it further enacted,* That the widow, or child, or children, and in case there shall be no widow, or child, or children, (as aforesaid,) then the parent or parents, and if there be no parents, the brothers and sisters of the officers, seamen, marines, and others in service, who were lost in said sloop-of-war Levant, including captain's clerk and assistant draughtsman, shall be entitled to and receive, out of any money in the Treasury not otherwise appropriated, a sum equal to twelve months' pay of their respective deceased relations aforesaid, in addition to the pay due to the said deceased at the date of the loss of said vessel.

Additional pay to widows and children, &c., of those lost.

SEC. 3. *And be it further enacted,* That the proper accounting officers of the Treasury Department be, and are hereby, authorized and directed to settle the accounts of Andrew J. Watson, late a purser in the navy, who was lost in the sloop-of-war Levant, with all his accounts and vouchers for expenditures and payments made by him, and with all the money, stores, and supplies procured for the use of said vessel, and to allow him a credit for whatever sum appears to be due from him on the books of the Department.

Accounts of Andrew J. Watson to be settled.

APPROVED, July 24, 1861.

* This session was called by Proclamation of the President, dated April 15th, 1861. See Proclamation, No. 3, Appendix, *post*, p. 1258.

July 24, 1861. CHAP. XV. — *An Act for the Relief of certain Musicians and Soldiers stationed at Fort Sumter, in South Carolina.*

Certain musicians and soldiers at Fort Sumter to be paid for losses of private property.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby, is directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of eleven hundred and fifty dollars, to remunerate soldiers and members of the band stationed at Fort Sumter, in South Carolina, for losses of private property incurred in the removal from Fort Moultrie to Fort Sumter on the evening of December twenty-six, eighteen hundred and sixty; said sum to be distributed as follows, namely: To the band, four hundred dollars; to company E, first artillery, five hundred dollars; to company H, first artillery, two hundred and fifty dollars; and to be divided among the members of said band and said companies suffering losses, or the heirs of such persons as aforesaid, according to the award of the commanding officers of the several commands.

APPROVED, July 24, 1861.

July 24, 1861.

CHAP. XVI. — *An Act for the Relief of the Ohio and other Volunteers.*

Preamble.
1796, ch. 36, § 2.
Vol. i. p. 424.

Whereas the War Department has decided that the term of service of the ninety days' volunteers, called out under the act of seventeen hundred and ninety-five, commenced only on the day when they were actually sworn into the service of the United States; and whereas the troops now in service of the United States from the State of Ohio were not sworn into said service until some days after their organization and acceptance as companies by the Governor of said State, and that for such period, under existing laws no payment can be made: Therefore,

Volunteers to be paid from the date of their organization and acceptance as companies by the governor of the State.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper disbursing officer compute and pay to the said volunteers compensation from the day of their organization and acceptance as companies by the Governor of the State of Ohio, as aforesaid, until the expiration of their term of service.

SEC. 2. *And be it further enacted,* That where the militia of other States are situated similarly with those of Ohio, the War Department pay them according to the provisions of the foregoing section.

APPROVED, July 24, 1861.

July 29, 1861.

CHAP. XXVI. — *An Act to authorize the Issue of a Register to the Steamer "Estella."*

Register to issue to the steamer "Estella."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to issue a register to the steamer "Estella," in accordance with existing laws, excepting only that provision of law requiring the said vessel to have been built in the United States.

APPROVED, July 29, 1861.

August 3, 1861.

CHAP. XLIII. — *An Act for the Relief of John C. McConnell.*

Accounts of John C. McConnell to be settled.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, directed to audit and settle, upon terms of equity and justice, the accounts of John C. McConnell against the United States, for expenses necessarily incurred by him in raising a regiment of volunteers in the State of Maryland, in May, June, and July, eighteen hundred and sixty-one, and now in the United States' service: *Provided,* That the

Proviso.

same shall not exceed the sum of eight thousand five hundred dollars, to be paid out of any money in the Treasury of the United States not otherwise appropriated.

APPROVED, August 3, 1861.

CHAP. LXVII. — *An Act authorizing the Secretary of War to pay the Volunteers, who, under the Command of Charles W. White, and by Order of Brigadier-General T. A. Morris, enlisted to protect the Railroad Bridges and other Property, in the Vicinity of Oakland, Alleghany County, Maryland.* August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the commissioned officers, non-commissioned officers, musicians, and privates who served as a Home Guard for the protection of the railroad bridge and other property, near Oakland, Alleghany County, Maryland, under command of Captain Charles W. White, and were called into service by order of Brigadier-General T. A. Morris, and to make to them just and reasonable compensation for the failure of the officer of the Government of the United States to furnish to them rations, clothing, and other supplies during their service: *Provided*, the amount to be paid shall not exceed the amount to which, for similar service, and like rations, clothing, and supplies, volunteers, regularly mustered into service under the President's proclamation of May third, one thousand eight hundred and sixty-one, would be equitable entitled.

APPROVED, August 6, 1861.

Certain volunteers in Alleghany county, Maryland, to be paid.

Proviso.

CHAP. LXVIII. — *An Act to provide for the Payment of Arnold and Willett for Bread, and Henry North, for Wood, supplied to the United States Volunteers in Maryland.* August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to cause the account of G. W. Arnold and Charles S. Willett, for bread, and the account of Henry North, for wood, furnished to the United States volunteers in the State of Maryland to be audited and adjusted on terms of equity and justice.

APPROVED, August 6, 1861.

Accounts of G. W. Arnold, Charles S. Willett, and Henry North, to be settled.

RESOLUTION.

August 5, 1861. [No. 4.] *A Resolution to pay to the Widow of the late Stephen A. Douglas the Amount due to him as a Senator at the time of his death.*

Widow of Stephen A. Douglas, to be paid amount of salary due him at his death.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, required to pay to the widow of the late Stephen A. Douglas, late a Senator of the United States, the amount of compensation due to him up to the time of his death, being seven hundred and fifty dollars, out of any money in the Treasury not otherwise appropriated.

APPROVED, August 5, 1861.

PRIVATE ACTS OF THE THIRTY-SEVENTH CONGRESS

OF THE

UNITED STATES,

Passed at the second session which was begun and held at the City of Washington, in the District of Columbia, on Monday, the second day of December, A. D. 1861, and ended on Thursday, the seventeenth day of July, A. D. 1862.

ABRAHAM LINCOLN, President. HANNIBAL HAMLIN, Vice-President, and President of the Senate. SOLOMON FOOTE was elected President of the Senate, *pro tempore*, on the thirty-first day of March, and so acted until the twenty-first day of May inclusive; he was again elected on the twentieth day of June, and continued so to act until the end of the session. GALUSHA A. GROW, Speaker of the House of Representatives.

CHAP. VII.—*An Act for the Relief of the Owner of the British Ship "Perthshire."* January 17, 1862

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any money in the Treasury not otherwise appropriated, to the order of the proper functionary of Her Britannic Majesty's government, the sum of one thousand dollars, in full compensation to the owner of the British ship "Perthshire" in consequence of her detention by the United States steamer "Massachusetts," in June last, under the impression that she had unlawfully evaded the blockade of the port of Mobile.

\$1000 to be paid to owner of British ship Perthshire.

APPROVED, January 17, 1862.

CHAP. XVI.—*An Act for the Relief of William Y. Strong.* January 31, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized and required to pay to William Y. Strong, out of any money in the Treasury not otherwise appropriated, fifty dollars; being the amount so by him paid into the public Treasury on the twenty-seventh of January, eighteen hundred and forty-five.

\$50 to be paid to William Y. Strong.

APPROVED, January 31, 1862.

CHAP. XXVI.—*An Act for the Relief of Philip Speyer & Co., of the City of New York.* February 13, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized to cause two certificates of the loan of eighteen hundred and forty-eight, of one thousand dollars each, with coupons of semi-annual interest from the first of July, eighteen hundred and fifty-four, attached thereto, to be issued to Philip Speyer & Co., or bearer, to replace that number of similar certificates, the property of said Speyer & Co., viz.: number one thousand and fifty-eight, issued to Corcoran and Riggs, or bearer, September first, eighteen hundred and forty-eight, and number eleven hundred and twenty-nine, issued to R. L. Stuart, or bearer, September ninth, eighteen hundred and forty-eight, which were mailed at Frankfort-on-the-Main, in Germany, for New York, on

Duplicate certificates of stock to issue to Philip Speyer and Co.

the third day of February, eighteen hundred and fifty-four, with the coupons from said first of July, eighteen hundred and fifty-four attached, and were never received in New York, and are therefore supposed to be lost or destroyed: *Provided*, That before the issue of such new certificates said Philip Speyer & Co. shall furnish to the acceptance of the First Comptroller of the Treasury such bond or bonds of indemnity as is usually required by the regulations of the Treasury Department for the issue of duplicate certificates of inscribed stock.

APPROVED, February 13, 1862.

March 14, 1862. CHAP. XLII.—*An Act for the Relief of Z. B. Caverly, late Secretary of Legation at Lima, Peru.*

Payment to Z. B. Caverly. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be paid, out of any money in the Treasury not otherwise appropriated, the sum of nineteen hundred and eighty-eight dollars to the said Z. B. Caverly, late secretary of legation at Lima, Peru, for his services and expenses as special messenger from Lima to Washington in eighteen hundred and fifty-nine, eighteen hundred and sixty, and eighteen hundred and sixty-one, that being the amount of the per diem and expenses of said messenger, after deducting therefrom his salary for the time of such service as secretary of legation.

APPROVED, March 14, 1862.

April 25, 1862. CHAP. LX.—*An Act to authorize the District Court of the United States for the Northern District of California to hear and determine upon its Merits the Claim of Pedro Chaboya to a certain Tract of Land in California, called La Posa San Juan Bautista.*

Claim of Pedro Chaboya to be heard by District Court. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the district court of the United States for the northern district of California be, and is hereby, authorized and required to hear and decide upon the merits the claim of Pedro Chaboya to a tract of land described in his amended petition, filed in said court on the fifteenth day of June, one thousand eight hundred and fifty-seven, and called "La Posa de San Juan Bautista," in the same manner and with the same jurisdiction as if the claim to the said tract of land had been duly presented to the Board of Land Commissioners under the provisions of the act entitled "An act to ascertain and settle the private land claims in the State of California," approved March third, anno Domini eighteen hundred and fifty-one, and an appeal had been duly taken from their decision to the said district court by the said Chaboya.

1851, ch. 41.

Vol. ix. p. 631.

Testimony before taken may be used.

SEC. 2. *And be it further enacted*, That on the said hearing the testimony heretofore taken in said court in relation to the said claim on behalf of the said claimant, or of the United States, may be read subject to all just exceptions to its competency, and additional testimony on either part may be taken under the direction and order of said district court as to the validity of said claim or the extent thereof.

Appeal to Supreme Court of the United States.

Vol. ix. p. 633.

SEC. 3. *And be it further enacted*, That an appeal may be taken from the final decision and decree of said district court to the Supreme Court of the United States by either party in accordance with the provisions of the tenth section of the said act of March third, eighteen hundred and fifty-one.

APPROVED, April 25, 1862.

April 25, 1862. CHAP. LXI.—*An Act for the Relief of the Owners, Officers, and Crew of the Danish Bark "Jorgen Lorentzen."*

Damages to be *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there be paid, out of any

money in the treasury not otherwise appropriated, to the order of the proper functionary of the government of his Majesty the King of Denmark, the sum of one thousand eight hundred and fifty dollars, as full compensation to the owners of the Danish bark "Jorgen Lorentzen," or their legal representatives, for damages occasioned by reason of the wrongful seizure and detention of the said bark by the "Morning Light," a vessel of the United States blockading squadron, in the month of December last, and also as full compensation to the master, mate, and crew of the said bark, the said sum to be distributed agreeably to the award of Moses Taylor and H. Dollner, esquires, to whom the claim was referred.

paid the owners &c., of the Danish bark "Jorgen Lorentzen."

How to be distributed.

APPROVED, April 25, 1862.

CHAP. LXII. — *An Act for the Relief of Francis Huttmann.*

May 1, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to adjust the claim of Francis Huttmann for return of tonnage and light duties illegally exacted and paid by him on the Peruvian bark "Callao," at the port of San Francisco, California, on the fifth day of September, eighteen hundred and forty-eight, amounting to one hundred and twenty-four dollars and eighty cents; and also import duties collected in excess upon the cargo of the said vessel, amounting to the sum of three hundred and fifty dollars and sixteen cents, and to pay him the amount due.

Duties illegally exacted to be repaid Francis Huttmann.

APPROVED, May 1, 1862.

CHAP. LXIV. — *An Act for the Relief of Sylvester Crooks.*

May 12, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to cancel the transportation bond of Sylvester Crooks, given at the collector's office in the city of New York, in the month of November, eighteen hundred and fifty-nine, for a package of merchandise shipped by him to V. Marzion and Company, San Francisco, California, and marked "F. B., one case."

Transportation bond given by Sylvester Crooks to be cancelled.

APPROVED, May 12, 1862.

CHAP. LXV. — *An Act for the Relief of the Owners, Officers, and Crew of the Spanish Bark "Providencia."*

May 12, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any money in the treasury not otherwise appropriated, to the order of the proper functionary of her Catholic Majesty's government, the sum of two thousand seven hundred and ninety-one dollars and ninety-one cents, as full compensation to the owners of the Spanish bark "Providencia," or their legal representatives, for damages occasioned by reason of the wrongful seizure and detention of said bark by a steamer of the United States blockading squadron, in the month of November last; and also as full compensation to the master, mate, and crew of said bark; the said sum to be distributed agreeably to the two several awards of Moses Taylor, esquire, to whom the claim was referred for adjustment.

Payment to owners, &c. of bark "Providencia" for wrongful seizure, &c.

APPROVED, May 12, 1862.

CHAP. LXVIII. — *An Act for the Relief of John Skirving.*

May 13, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, directed, out of any money in the treas-

Payment to John Skirving for drawings, &c.

for public build-
ings in Washing-
ton.

ury not otherwise appropriated, to pay to John Skirving the sum of eleven hundred and forty-two dollars, in full for his services in making designs, drawings, working drawings, and measurements, in and about the public buildings in the city of Washington, and other expenses attending the same, under the direction of the Commissioner of Public Buildings, from the year eighteen hundred and forty-two to the year eighteen hundred and fifty-two, inclusive.

APPROVED, May 13, 1862.

May 17, 1862. CHAP. LXXIV. — *An Act for the Relief of Lieutenant-Colonel Charles F. Ruff, of the United States Army.*

Certain pay,
&c. of Lt.-Col.
Charles F. Ruff
to be paid him.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and is hereby, directed to cause to be paid unto Charles F. Ruff, Lieutenant-Colonel of the third Regiment of Cavalry, Army of the United States, out of any money in the treasury not otherwise appropriated, the sum of four hundred and forty-nine dollars, being the amount of pay and emoluments due him for the months of March and April, one thousand eight hundred and sixty-one, as Major of the Regiment of Mounted Riflemen, United States Army, and never received by him.

APPROVED, May 17, 1862.

May 30, 1862.

CHAP. LXXXVII. — *An Act for the Benefit of Robert Small, and others.*

Half of the
value of the
steamer "Plan-
ter" to be ap-
portioned
between Robert
Small and others.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to cause the steam transport boat "Planter," recently in the rebel service, in the harbor of Charleston, and all of the arms, munitions, tackle, and other property on board of her at the time of her delivery to the Federal authorities, to be appraised by a board of competent officers, and when the value thereof shall be thus ascertained, to cause an equitable apportionment of one half of such value so ascertained as aforesaid, to be made between Robert Small and his associates, who assisted in rescuing her from the enemies of the Govern-ment.

Share of each
may be invested
in United States
securities, and
income paid over
until, &c.

SEC. 2. *And be it further enacted,* That the Secretary of the Navy may, if he deems it expedient, cause the sum of money allotted to each individual under the preceding section of this act, to be invested in United States securities for the benefit of such individual, the interest to be paid to him or to his heirs, annually, until such time as the Secretary of the Navy may deem it expedient to pay to him, or his heirs, the principal sum as aforesaid.

APPROVED, May 30, 1862.

May 30, 1862.

CHAP. LXXXVIII. — *An Act for the Relief of John Goulding.*

John Goulding
may apply for
renewal and ex-
tension of patent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Goulding be, and hereby is, authorized to apply to the Commissioner of Patents for a renewal and extension, for the term of seven years, from the time of such renewal and extension, the letters-patent heretofore granted to him, for his improvement in machinery for the manufacture of wool and other fibrous substances, and the said Commissioner of Patents is hereby authorized and empowered to grant such renewal and extension, or withhold the same, under the existing laws, in the same manner as if the applications therefor had been seasonably made: *Provided,* That such renewal and extension shall not have the effect or be construed to restrain persons who may be using the machinery invented by said Goulding at the time of the

Proviso

renewal and extension hereby authorized for continuing the use of the same, nor to subject them to any claim or damage for having so used the same.

APPROVED, May 30, 1862.

CHAP. LXXXIX. — *An Act for the Relief of Horace M. Hieskell, a Paymaster in the United States Navy.* May 30, 1862.

Whereas Horace M. Hieskell was attached as paymaster to [the] United States receiving ship "Pennsylvania," at Norfolk, Virginia, at the time, to wit, on the twentieth of April, eighteen hundred and sixty-one, when said ship was burned by order of the Government or the Commander of the station; and

Horace M. Hieskell to be credited in his accounts with certain goods burned in the "Pennsylvania."

Whereas, said Horace M. Hieskell, as paymaster aforesaid, is charged by the Department with sundry items for provisions, clothing, and small stores, which goods were destroyed when said ship was burned; Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Horace M. Hieskell be credited on the books of the Department with the amount of such goods charged against him.

APPROVED, May 30, 1862.

CHAP. C. — *An Act for the reciprocal Extinguishment of certain Claims between the United States and the Representatives of Robert Brent, deceased.* June 11, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Solicitor of the Treasury be, and he is hereby, directed to discontinue and to cause to be entered satisfied all suits and proceedings upon the claim of the United States against the representatives of Robert Brent, late paymaster general of the United States army, and against the representatives of Robert Y. Brent, his executor; such discontinuance and acknowledgment of satisfaction to be in full of all claims on the part of said Robert Brent, or his representatives in his right, against the United States.

All suits against representatives of Robert Brent and Robert Y. Brent to be discontinued.

Effect of discontinuance.

APPROVED, June 11, 1862.

CHAP. CVI. — *An Act for the Relief of Lieutenant Ulysses S. Grant.* June 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the settlement of the accounts with the treasury of Lieutenant Ulysses S. Grant, as commissary and regimental quartermaster, fourth infantry, there shall be allowed to the said Grant the sum of one thousand dollars, on account of the loss of that amount of public funds in his hands by theft, on the night of the sixteenth of June, eighteen hundred and forty-eight, the loss being without neglect or fault on the part of said Grant.

Allowance of \$1000, lost by theft, to be made in settling accounts of Ulysses S. Grant.

SEC. 2. *And be it further enacted,* That, if the accounts of the said Grant have been fully settled at the proper accounting office of the treasury, and the said amount of one thousand dollars accounted for, then and in that case there shall be paid to said Grant the sum of one thousand dollars out of any money not otherwise appropriated.

If accounts are settled, &c. then \$1000 to be paid Grant.

APPROVED, June 17, 1862.

CHAP. CVII. — *An Act for the Relief of Oliver Spencer Wood.* June 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized and directed to examine and settle, on principles of equity, the accounts of Oliver Spencer Wood, late temporary naval storekeeper for the United States

Accounts of Oliver Spencer Wood to be settled equitably and allowance made of not over \$1,620.97.

squadron on the African station, and to make him such allowances, subject to the approval of the Secretary of the Navy, as under the circumstances shall appear to them reasonable and just, such allowances not to exceed the deficiencies with which the said Oliver Spencer Wood now stands charged, amounting to the sum of sixteen hundred and twenty dollars and ninety-seven cents, (\$1,620.97.)

APPROVED, June 17, 1862.

June 19, 1862. CHAP. CXIII. — *An Act for the Relief of Rose M. Harte, Widow of Edward Harte.*

Payment of
\$274.80 to widow
of Edward Harte.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Patents be, and he is hereby, authorized and required to pay, out of any money belonging to the fund of the Patent Office not otherwise appropriated, to Rose M. Harte, widow of Edward Harte, the sum of two hundred and seventy-four dollars and eighty cents, in full for certain papers prepared by him, by direction of the Commissioner of Patents, illustrative of the "Progress of Agriculture in the United States during ten years," and also for an article entitled "Railroads of the United States in 1850."

APPROVED, June 19, 1862.

June 19, 1862. CHAP. CXIV. — *An Act for the Relief of the Sufferers by the burning of the Washington Infirmary on the Night of November 3d, 1861.*

Payment of
\$625 to certain
sufferers by the
burning of the
Washington In-
firmary.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Second Auditor of the Treasury be, and hereby is, authorized and required to ascertain and determine the amount of property lost by each of the sisters of charity, and female servants employed in the Washington Infirmary at the time of its conflagration, which occurred on the night of the third of November, eighteen hundred and sixty-one, and the amount so determined, not exceeding in the aggregate six hundred and twenty dollars, shall be paid, out of any money in the treasury not otherwise appropriated, to the claimants respectively.

APPROVED, June 19, 1862.

June 20, 1862. CHAP. CXVII. — *An Act for the Relief of Commodore Hiram Paulding.*

Payment to
Hiram Paulding
for expenses of
lawsuit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay to Commodore Hiram Paulding, of the United States navy, out of any money in the treasury not otherwise appropriated, the sum of twelve hundred dollars, or so much thereof as he may be satisfied is necessary to reimburse him for his expenses incurred in defending himself against a suit brought against him for taking Charles McDonald (one of William Walker's followers) from the steamer "Morgan," at San Juan del Norte, in Nicaragua, and sending him on board the United States ship "Saratoga," in the year eighteen hundred and fifty-seven, the said Paulding being at the time flag-officer in command of the home squadron, and acting in the line of his duty.

APPROVED, June 20, 1862.

June 20, 1862. CHAP. CXVIII. — *An Act to pay B. Y. Shelley for his Claim and Improvements taken from him by the Omaha Reservation in the Territory of Nebraska.*

Payment to
Benneville Y.
Shelley.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and hereby is, appropriated, out of any moneys in the treasury not otherwise appro-

priated, to Benneville Y. Shelley, thirteen hundred and fifteen dollars, in full for all claims of said Shelley against the government of the United States for his "claim" and improvements thereon, which were taken from him by the United States for the Omaha reservation, in Nebraska Territory, in the year eighteen hundred and fifty-five.

APPROVED, June 20, 1862.

CHAP. CXXXI.—*An Act granting a Pension to Lawrence P. N. Landrum, of Taylor County, Kentucky.* July 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby authorized and directed to place the name of Lawrence P. N. Landrum, of Taylor County, State of Kentucky, on the roll of invalid pensions of the United States, and pay to him the sum of ninety-six dollars per annum, to be computed from the twenty-third day of March, in the year one thousand eight hundred and sixty-two.

Invalid pension to Lawrence P. N. Landrum.

APPROVED, July 2, 1862.

CHAP. CXXXII.—*An Act for the Relief of the President and Directors of the Panama Railroad Company.* July 2, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be instructed to pay to the President and Directors of the Panama Railroad Company the sum of seven thousand four hundred and seventy-five dollars, in full of all claims of said company on the United States for the transportation of certain persons from Panama to New York by agreement with Commodore Mervine.

Panama Railroad Company, payment of \$7,475 to.

APPROVED, July 2, 1862.

CHAP. CXXXVI.—*An Act for the Relief of J. W. Nye.* July 5, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and required to pay unto J. W. Nye, out of any money in the treasury not otherwise appropriated, the sum of fourteen hundred and fifty-four dollars and eighty-four cents, for balance due for furnishing horses and carryalls, and hauling boxes and other articles, for the use of the House of Representatives for the twenty-eighth Congress, under a written contract with the postmaster of the House of Representatives, dated January the fifth, eighteen hundred and fifty-four, and approved by said House of Representatives.

J. W. Nye, payment to, for horses, &c., for 28th Congress.

SEC. 2. *And be it further enacted,* That the Secretary of the Treasury be further authorized and required to pay unto J. W. Nye, out of any money in the treasury not otherwise appropriated, the sum of three thousand four hundred and thirty-two dollars and forty-four cents, for balance due for improvements made on the botanical garden lot, and for damages sustained by said J. W. Nye in being deprived of the use and occupation of the lot according to the terms and conditions contained in a certain lease from the President of the United States to said J. W. Nye.

For damages for determination of a lease.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury is hereby directed and required, on payment of the sums hereinbefore named, to take receipts from said J. W. Nye, in full satisfaction of all claims for services or damages arising from the aforesaid contracts.

Receipts to be given in full.

APPROVED, July 5, 1862.

July 5, 1862.

CHAP. CXXXVII. — *An Act for the Relief of Brigadier General Joseph G. Totten.*

Brig. Gen. Joseph G. Totten, payment of \$200 to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Brigadier General Joseph G. Totten, out of any money in the treasury not otherwise appropriated, the sum of two hundred dollars, in full for so much advanced by the said Totten for the benefit of the United States in the purchase of certain land of William Aspinwall, for fortifications on Staten Island, in the harbor of New York.

APPROVED, July 5, 1862.

July 11, 1862.

CHAP. CLII. — *An Act for the Relief of D. G. Farragut.*

D. G. Farragut, payment of \$407.19 to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized and instructed to allow to Captain D. G. Farragut, United States navy, in the settlement of his accounts, the sum of four hundred and seven dollars and nineteen cents, being the amount paid by him as wages to two master's mates on board the United States ship Warren, employed at Mare Island, California.

APPROVED, July 11, 1862.

July 11, 1862.

CHAP. CLIII. — *An Act for the Relief of Louisa Abert Byrne.*

Louisa Abert Byrne, pension to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be and he is hereby, authorized and required to place the name of Louisa Abert Byrne, widow of the late Surgeon Bernard M. Byrne, of the United States army, on the pension roll, at the rate of twenty-five dollars per month, from the sixth day of September, eighteen hundred and sixty, for and during her widowhood.

APPROVED, July 11, 1862.

July 12, 1862.

CHAP. CLXII. — *An Act for the Relief of Fanny Mactier Smith.*

Fanny Mactier Smith, pension to.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and required to place the name of Fanny Mactier Smith, widow of the late Major General Charles Ferguson Smith, of the United States army, on the pension roll, at the rate of fifty dollars per month, from the first day of May, eighteen hundred and sixty-two, for and during her widowhood.

APPROVED, July 12, 1862.

July 14, 1862.

CHAP. CLXXVI. — *An Act granting an Invalid Pension to Hugh H. Howard, of Hockingport, State of Ohio.*

Pension to Hugh H. Howard.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to place the name of Hugh H. Howard, of Hockingport, in the State of Ohio, a soldier in the Oregon Indian war, in eighteen hundred and fifty-five and eighteen hundred and fifty-six, upon the pension roll, and allow him a pension at the rate of eight dollars a month from the first day of January, one thousand eight hundred and sixty.

APPROVED, July 14, 1862.

CHAP. CXCI. — *An Act for the Relief of Robert M. Evans.*

July 16, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to adjust and settle, upon fair and equitable terms, the accounts of Robert M. Evans, for recruiting in and bringing from the State of Indiana to this city, during the months of August and September, eighteen hundred and sixty-one, cavalry troops in pursuance of an order issued on or about the fifteenth day of July, of the same year, by the then Secretary of War: *Provided,* That the amount so paid shall not exceed the sum of five hundred dollars.

Accounts of Robert M. Evans to be adjusted.

SEC. 2. This act to be in force from and after its passage.

APPROVED, July 16, 1862.

CHAP. CXCII. — *An Act to confirm and establish a Patent heretofore granted to Etienne Bernot, dated July twenty-four, eighteen hundred and sixty, and to secure to George Somerville Norris, the Assignee of said Patent, the Benefit of the full term for which said Patent was granted.*

July 16, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the patent granted to Etienne Bernot on the twenty-fourth day of July, in the year eighteen hundred and sixty, for "an improved machine for cutting files," and which patent, on the face thereof, was granted for the term of fourteen years from the date of said patent, shall be, and the same is hereby, made a valid grant for the full term of fourteen years from the date of said patent, notwithstanding the fact that a patent had been previously granted in France for the same invention, and notwithstanding that said patent, when issued, ought to have been granted only for the term of fourteen years, to be computed from the date of the said patent, previously issued in France.

Patent to Etienne Bernot confirmed.

SEC. 2. *And be it further enacted,* That the title of George Somerville Norris, as assignee of said patent, under the assignment made to him by said Etienne Bernot, dated October eight, eighteen hundred and sixty, and recorded in the Patent Office, shall be good and valid to vest in said assignee, his executors, administrators, and assigns, the executive right, under the said patent, for the full period of the term of fourteen years from the date of said patent, in like manner and to the same extent as if the said patent, when originally issued, had been validly granted for fourteen years from the date thereof.

Title of assignee of said patent confirmed.

APPROVED, July 16, 1862.

CHAP. CXCIII. — *An Act to secure one Month's Pay and Pension to Margaret Bailey, Widow of George B. Bailey, Lieutenant Colonel in the Ninth Regiment of Virginia Volunteers.*

July 16, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Margaret Bailey, widow of George B. Bailey, late acting lieutenant colonel in the ninth regiment of Virginia volunteers, one month's pay of a lieutenant colonel, for services rendered by her husband as lieutenant colonel and surgeon, prior to November tenth, eighteen hundred and sixty-one, when he was killed in battle at Guyandott, Virginia.

Margaret Bailey to have one month's pay,

SEC. 2. *And be it further enacted,* That the Commissioner of Pensions be, and he is hereby, directed to place the name of said Margaret Bailey on the pension roll, at the rate of thirty dollars per month, from the first day of July, eighteen hundred and sixty-two, and to continue during her widowhood.

and pension.

APPROVED, July 16, 1862.

July 16, 1862. CHAP. CXCIV. — *An Act for the Relief of James N. Muller, Supervising Inspector of Steamboats for the Third Supervising District.*

Accounts of
James N. Muller
to be settled.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and required to audit and settle the accounts of James N. Muller for services rendered as supervising inspector of steamboats for the third supervising district, and to allow him the compensation provided by law for the period commencing on the sixth day of August, eighteen hundred and sixty-one, and ending on the second day of December, eighteen hundred and sixty-one.

APPROVED, July 16, 1862.

RESOLUTIONS.

[No. 17.] *A Resolution for the Relief of William H. Nobles.*

March 8, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he hereby is, authorized and directed to pay, out of any balance of appropriations for wagon-roads under his control, eight thousand one hundred and ninety-nine dollars and ninety-nine cents, being the amount reported by him, under the second section of the army appropriation act, approved March second, eighteen hundred and sixty-one, to be due to William H. Nobles, late Superintendent of the Fort Ridgely and South Pass Wagon Road.

William H. Nobles, payment of \$8199.99 to.

APPROVED, March 8, 1862.

[No. 31.] *A Resolution in Relation to the Claim of Marshall O. Roberts for the Loss of the Steamer "Star of the West."*

May 20, 1862.

Whereas the Secretary of War has declined to act upon a claim of Marshall O. Roberts for compensation for the loss of the steamship "Star of the West," while in the service and under the direction of the United States, upon the ground that before his appointment as Secretary of War he had been consulted as counsel in the case: Therefore—

Marshall O. Roberts, payment to.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the said claim be referred to the Attorney General, with authority to act upon the same in the same manner as the Secretary of War could have done had he not been consulted as counsel in the case, and that such sum as shall be ascertained to be due, if any, be paid in the same manner as if the same had been allowed by the Secretary of War, out of any money in the treasury not otherwise appropriated.

APPROVED, May 20, 1862.

[No. 33.] *A Resolution to confirm the Opinion of the Court of Claims adverse to the Claim of Thomas B. Graham.*

May 21, 1862.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the opinion of the Court of Claims, adverse to the claim of Thomas B. Graham, be, and hereby is, confirmed.

Thomas B. Graham, adverse opinion of Court of Claims confirmed.

APPROVED, May 21, 1862.

[No. 45.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of C. J. Jenkins and W. W. Mann, Assignees of John McKinnie.*

July 11, 1862.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of C. J. Jenkins and W. W. Mann, assignees of John McKinnie, be, and the same is hereby, confirmed.

Decision against C. J. Jenkins and W. W. Mann confirmed.

APPROVED, July 11, 1862.

July 11, 1862. [No. 46.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of Richard Irvin, Trustee of the Mechanics' Bank, New York.*

Decision
against Richard
Irvin confirmed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of Richard Irvin, trustee of the Mechanics' Bank, New York, be, and the same is hereby, confirmed.

APPROVED, July 11, 1862.

July 11, 1862. [No. 47.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of Executor of Lewis Warrington and others.*

Decision
against executors
of Lewis War-
rington con-
firmed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of the executors of Lewis Warrington and others be, and the same is hereby, confirmed.

APPROVED, July 11, 1862.

July 11, 1862. [No. 48.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of Abraham King, Administrator of John Mandeville.*

Decision
against Abraham
King confirmed.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of Abraham King, administrator of John Mandeville, be, and the same is hereby, confirmed.

APPROVED, July 11, 1862.

July 11, 1862. [No. 49.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of Dennis Cronans.*

Decision
against Dennis
Cronans con-
firmed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of Dennis Cronans be, and the same is hereby, confirmed.

APPROVED, July 11, 1862.

July 11, 1862. [No. 50.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of T. S. J. Johnson.*

Decision
against T. S. J.
Johnson con-
firmed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of T. S. J. Johnson be, and the same is hereby, confirmed.

APPROVED, July 11, 1862.

PRIVATE ACTS OF THE THIRTY-SEVENTH CONGRESS

OF THE

UNITED STATES,

Passed at the third session which was begun and held at the City of Washington, in the District of Columbia, on Monday, the first day of December, A. D. 1862, and ended on Wednesday, the fourth day of March, A. D. 1863.

ABRAHAM LINCOLN, President. HANNIBAL HAMLIN, Vice-President, and President of the Senate. SOLOMON FOOTE was elected President of the Senate, *pro tempore*, on the eighteenth day of February, and so acted until the end of the session. GALUSHA A. GROW, Speaker of the House of Representatives.

CHAP. II. — *An Act for the Relief of the Owners of the French Brig "Jules et Marie."* Dec. 15, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any money in the treasury not otherwise appropriated, to the order of the proper functionary of the government of his Majesty the Emperor of the French, the sum of nine thousand five hundred dollars, in coin, as full compensation to the owners of the French brig "Jules et Marie," or their legal representatives, for damages received by the said brig in a collision with the United States war steamer "San Jacinto," on the third day of November last; which collision was occasioned, in the opinion of a joint naval commission to whom the claim was referred, by the failure of the "San Jacinto" seasonably to reverse her engine.

APPROVED, December 15, 1862.

CHAP. VIII. — *An Act to indemnify certain Citizens of the United States, residing in the State of Delaware, for Expenses incurred by them in Defence of the United States.* January 7, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed, out of any money in the treasury not otherwise appropriated, to pay to the Farmers' Bank of the State of Delaware, at Dover, or the duly authorized agent thereof, any amount not exceeding the sum of thirteen hundred and seventy-eight dollars, borrowed of said bank by Alden B. Richardson and others, citizens of the State of Delaware, and by them expended for the enrolling, subsisting, clothing, and equipping of company D of the first regiment of Delaware volunteers employed in aiding to suppress the present insurrection against the United States; and also to the Bank of Smyrna, at Smyrna, Delaware, or the duly authorized agent thereof, an amount not exceeding the sum of thirteen hundred and seventy-eight dollars, borrowed of said last-mentioned bank by George W. Cummins and others, citizens of said State of Delaware, and by them expended for the enrolling, subsisting, clothing, and equipping company H of said first regiment of Delaware volunteers employed in said service as aforesaid: *Provided,* That said Secretary shall pay only so much of the expenditures aforesaid as, upon examination, he shall be satisfied were properly made.

APPROVED, January 7, 1863.

January 23, 1863.

CHAP. XII. — *An Act for the Relief of John B. Motley.*

Payment to John B. Motley for services as acting Secretary of Nebraska Territory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of two hundred and ninety-eight dollars and eighty-seven cents be, and the same is hereby, appropriated, out of any money in the treasury not otherwise appropriated, to be paid to John B. Motley, of Omaha City, in the Territory of Nebraska, for compensation in full for his services as acting secretary of said Territory from March twenty-three, eighteen hundred and fifty-eight, to July twelve, eighteen hundred and fifty-eight.

APPROVED, January 23, 1863.

January 30, 1863.

CHAP. XV. — *An Act for the Relief of William B. Snowhook and others.*

Sureties of Charles H. Pine to be credited with \$2500 on a judgment against them.

Whereas a judgment has been recovered in the United States Circuit Court of the northern district of Illinois against Thomas Hoyne, E. S. Smith, Isaac Cook, William B. Snowhook, and Richard J. Hamilton, as sureties of Charles H. Pine, late United States marshal for said district, in which judgment is included a sum of two thousand five hundred dollars, money advanced to said Pine by the government on the ninth day of November, Anno Domini eighteen hundred and fifty-nine, after he had become known to the officers of the United States to be a defaulter in office, and after two of the said sureties had expressly notified the late Secretary of the Interior of such official delinquency, and protested against any further liability being incurred by them; all of which facts appear of record in the archives of the Department of the Interior: Therefore —

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Solicitor of the Treasury be, and he is hereby, authorized and directed to remit to the said sureties, as a credit upon the amount of said judgment in satisfaction *pro tanto*, the said sum of twenty-five hundred dollars, upon the payment of the balance of said judgment by the said securities: *Provided, however,* That nothing herein contained shall in anywise have the effect to release the principal in said bond from his liability thereon.

APPROVED, January 30, 1863.

January 31, 1863.

CHAP. XVI. — *An Act for the Relief of the legal Representatives of Seneca G. Simmons.*

Representatives of Seneca G. Simmons to be allowed \$1500.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury Department, in settling the accounts of the late Seneca G. Simmons, as assistant commissary of subsistence, be, and hereby are, authorized and instructed to allow his legal representatives credit for the sum of money belonging to the United States stolen from his possession at Metamoras, Mexico, on the night of the eleventh of April, eighteen hundred and forty-seven, to wit: fifteen hundred dollars.

APPROVED, January 31, 1863.

February 3, 1863.

CHAP. XVIII. — *An Act to provide for the Payment of Expenses incurred by the Marshal of Boston for Repairs to the United States Court House.*

Watson Freeman to be paid for expenses of repairs of court-house in Boston.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be directed to pay to Watson Freeman, late United States marshal for the district of Massachusetts, the sum of two hundred and eighty-one dollars and forty-two cents, out of any money in the treasury not otherwise appropriated, in full satisfaction of the claim of said Free-

man for expenses incurred by him in repairs to the United States court-house in Boston.

APPROVED, February 3, 1863.

CHAP. XXX. — *An Act to authorize the Court of Claims of the United States to hear and determine the Claim of the Heirs of Stephen Johnston, deceased.* February 9, 1863.

Whereas by an act of Congress, passed July twentieth, eighteen hundred and forty, for the relief of the children of Stephen Johnston, deceased, said heirs were thereby authorized to surrender to the United States certain lands, and to receive in lieu thereof a certificate "receivable in payment at any land-office of the United States for any half section of land not subject to preëmption;" and whereas said heirs, in pursuance of the provisions of said act, did, on the second day of February, Anno Domini eighteen hundred and forty-one, surrender said land, and did receive a certificate as aforesaid, and did thereafter twice make application to the Commissioner of the General Land-Office for the purchase of one half section of the public lands of the United States with said certificate, which several applications were refused by said Commissioner, although at the time of said applications the lands applied for were duly authorized to be sold; and whereas it was the manifest intention of Congress, by the passage of said act, to give to said heirs the right to make choice of and purchase with said certificate any half section of the public lands of the United States, in order to compensate said heirs for the loss of a judicious selection of land granted to them by the provisions of a treaty made by the United States with the Pottawatomie Indians on the sixteenth day of October, Anno Domini eighteen hundred and twenty-six; and whereas since the passage of said act, and the issuing of said certificate, the most valuable lands of the United States have been disposed of and made subject to preëmption, and the holders of the certificate have been deprived of the use thereof in the purchase of such valuable lands by reason of the decisions aforesaid; and whereas there are now no public lands of the United States upon which said certificate could be used, affording anything like a just compensation to said heirs for the loss of a judicious selection for them under the provisions of the treaty aforesaid: Therefore —

Preamble.
1840, ch. 96.
Vol. vi. p. 812.

Vol. vii. p. 295.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the claim of the heirs of Stephen Johnston, deceased, be, and the same is hereby, referred back to the Court of Claims of the United States, together with the record and papers of the case of Stephen Johnston and others against the United States, formerly heard in said court; thereupon said court is authorized and directed to order proof to be taken of the value of such a selection of one half section of land within the boundaries of the treaty aforesaid as said heirs were justly and equitably entitled to, as it was on the second day of February, Anno Domini eighteen hundred and forty-one; and in estimating the value of such a selection as it was on the day aforesaid, all or any improvements upon the land so valued shall not be considered, but the value of such a selection shall be estimated considering its natural advantages of position, &c., and any increase of value from extrinsic and general causes to the date aforesaid.

Claim of heirs of Stephen Johnston to be referred back to Court of Claims.

Direction to the court.

Value of selection.

SEC. 2. *And be it further enacted,* That when the value of such a selection shall be so ascertained by the proof, and thereupon determined by the court, which is hereby required, said court shall add interest upon the value so determined from February second, eighteen hundred and forty-one, and thereupon to ascertain and determine what amount of land scrip of the United States, as hereinafter provided, may be necessary to be issued to said heirs in compensation and satisfaction of the amount so

Court to add interest,

to decide on amount of land scrip to be issued to heirs.

Secretary of
Interior to issue
land scrip to
Stephen John-
ston, &c., Eliza
Winans, &c.

Scrip receive-
ble in payment
for what.

Assignable by
indorsement,
attested,
issued in legal
subdivisions.

Proviso.

Scrip to be in
full satisfaction
of the claim.

ascertained and determined by the court. And thereupon said court shall order the amount so ascertained to be issued. And the Secretary of the Interior of the United States shall, and he is hereby authorized and required, upon the order aforesaid, and the surrender of the land certificate now held by said heirs to the United States, to cause to be issued to said heirs, to wit: To Stephen Johnston and his heirs and assigns, and to Eliza Winans and her heirs and assigns, in equal proportions, severally, land scrip of the United States to the amount ascertained and determined by the court as aforesaid, which scrip shall be receivable in payment for any lands of the United States subject to private entry, the minimum price of which does not exceed one dollar and twenty-five cents per acre for each acre mentioned in the certificates of scrip so issued; and said land scrip, if offered, shall be receivable in payment of any lands of the United States the sale of which is authorized by law, the value of said scrip to be estimated at one dollar and twenty-five cents for each acre of land therein named. That is to say, scrip for eighty acres of land shall be deemed to be of the value of one hundred dollars, and shall be received as so much money when offered in payment of land worth more than one dollar and twenty-five cents per acre, and the same rule shall apply to the scrip issued for a greater or less number of acres; and said land scrip shall, moreover, be assignable by indorsement, attested by two witnesses, and shall be issued in legal subdivisions in the following manner, to wit: For each section to be issued one certificate of scrip for one hundred and sixty acres, four certificates for eighty acres each, and four certificates for forty acres each: *Provided*, That if there shall be any fraction less than forty acres to make up the amount to be issued, the same shall be so issued: *And provided, further*, That when so issued and delivered shall be in full satisfaction and adjustment of the claim aforesaid.

APPROVED, February 9, 1863.

Feb. 10, 1863.

CHAP. XXXI. — *An Act for the Relief of Isaac Vanderpoel.*

Isaac Vander-
poel to be
allowed \$206.66
in settlement of
his accounts.

1853, ch. 41.
Vol. x. p. 154.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to allow to Isaac Vanderpoel, late United States army pension agent at Albany, New York, in his account with the government of the United States of pensions paid by him, the item of two hundred and six dollars and sixty-six cents, (\$206.66,) paid on the tenth of October, eighteen hundred and fifty-five, to George Hamilton, purporting to act as attorney for Elizabeth Vanderheyden, a pensioner under the act of third of February, eighteen hundred and fifty-three.

APPROVED, February 10, 1863.

Feb. 14, 1863.

CHAP. XXXV. — *An Act for the Relief of the Owners of the Norwegian Bark "Admiral P. Tordenskiold."*

Damages to
Norwegian bark
"Admiral P.
Tordenskiold."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid out of any money in the treasury not otherwise appropriated, to the order of the proper functionary of His Majesty, the King of Sweden and Norway, the sum of fourteen thousand three hundred and nine dollars and thirteen cents, in coin, as full compensation to the owners of the Norwegian bark "Admiral P. Tordenskiold," or their legal representatives, for damages sustained by the said bark by reason of being prevented by the commander of the United States blockading force at Charleston, in May, eighteen hundred and sixty-one, from leaving the said port with cargo, the said bark having innocently entered during a brief interval in which the blockading force was absent.

APPROVED, February 14, 1863.

CHAP. XXXVIII. — *An Act for the Relief of Joseph W. Dyer, Ansel L. Dyer, and William W. Dyer.* Feb. 18, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the treasury not otherwise appropriated, to Joseph W. Dyer, Ansel L. Dyer, and William W. Dyer, the sum of five hundred and forty-nine dollars and sixty cents, being for tonnage duties wrongfully exacted from the ship "Corinthian" by the collector of the port of New Orleans in the year one thousand eight hundred and fifty-eight.

Repayment to Joseph W. Dyer and others of tonnage duties wrongfully exacted.

APPROVED, February 18, 1863.

CHAP. XXXIX. — *An Act for the Relief of Cyrus Clapp and his Guarantors or Sureties.* Feb. 18, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That Cyrus Clapp and his guarantors or sureties, of the State of Iowa, be, and they hereby are, forever discharged and released from all liability to the government of the United States, or the Post-Office Department of said government, on account of the failure of the said Cyrus Clapp to comply with certain mail contracts on routes Nos. 10,935 and 10,936, in the State of Iowa.

Cyrus Clapp and sureties released from liability on certain mail contracts.

SEC. 2. *And be it further enacted,* That this act shall take effect and be in force from and after its passage.

APPROVED, February 18, 1863.

CHAP. XL. — *An Act for the Relief of John Cradlebaugh.*

Feb. 18, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed, out of any money in the treasury not otherwise appropriated, to pay to John Cradlebaugh, one of the Justices of the Supreme Court of the Territory of Utah, the sum of eleven hundred and five dollars, in full for the expenses of removing the records, seal, papers, library, and other appurtenances of the District Court of the second judicial district of the said territory from Provo City to Genoa, or Carson City, in the year eighteen hundred and fifty-nine.

John Cradlebaugh, payment to.

APPROVED, February 18, 1863.

CHAP. XLI. — *An Act for the Relief of Certain of the Crew of the Ship Nightingale.* Feb. 19, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is hereby authorized and directed to pay, from any money in the treasury not otherwise appropriated, to Charles Smith, Andrew Laird, John Lord, William Smith, and Antonio Frank, thirty-seven dollars and fifty cents each, and to Robert Brent thirty dollars, in full for their services on board the ship Nightingale in her late voyage from Liverpool to the coast of Africa.

Payment to certain of the crew of the ship Nightingale.

APPROVED, February 19, 1863.

CHAP. XLII. — *An Act for the Relief of Ignatius C. Mattingly, Postmaster at Bardstown, Kentucky.* Feb. 19, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Sixth Auditor of the Treasury in the settlement of the accounts of Ignatius C. Mattingly, postmaster at Bardstown, Kentucky, be directed to allow to said Mattingly the

Allowance to Ignatius C. Mattingly, in settlement of accounts.

sum of three hundred and ninety dollars, the amount of postage stamps and money accrued from postages belonging to the Post-Office Department, forcibly taken from him by a rebel force under the command of John Morgan, upon said Mattingly exhibiting satisfactory proof that the said amount was taken from him without complicity, negligence, or deficiency of duty on his part.

APPROVED, February 19, 1863.

Feb. 20, 1863.

CHAP. XLVIII. — *An Act for the Benefit of Simon and Emanuel Bamberger.*

Simon and Emanuel Bamberger released from liability upon a forfeited recognizance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States shall have, and is hereby invested with, the power to grant remission of the forfeitures of a recognizance acknowledged and taken before Hon. Bland Ballard, judge of the United States Court for the district of Kentucky, wherein Hemmen Franko is principal in the sum of five thousand dollars, and Emanuel Bamberger and Simon Bamberger his sureties in the sum of two thousand five hundred dollars each, on which forfeiture and subsequent proceedings thereon separate judgments have been rendered against said Emanuel and Simon, and executions therefor are now in the hands of the marshal of said district; the said Hemmen Franko having been heretofore pardoned by the President from the charge on which said recognizance was taken.

APPROVED, February 20, 1863.

Feb. 24, 1863.

CHAP. LVII. — *An Act for the Relief of Colonel Joseph Paddock.*

Payment of \$500 to Col. Joseph Paddock.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of five hundred dollars be paid to Colonel Joseph Paddock, late commandant of the fifth regiment of Indiana militia, out of any money in the treasury not otherwise appropriated, for services in the Indian war of eighteen hundred and ten and eleven, and the war of eighteen hundred and twelve with Great Britain.

APPROVED, February 24, 1863.

Feb. 25, 1863.

CHAP. LXII. — *An Act for the Relief of Lieutenant Herman Tuerck.*

Invalid pension to Herman Tuerck.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the name of Herman Tuerck, lately serving in the military service of the United States as second lieutenant in company E of the twelfth regiment of Missouri volunteers, be placed on the roll of invalid pensioners, at the rate of twenty-five dollars per month, commencing on the eighth day March, A. D. eighteen hundred and sixty-two, and to continue during his natural life: *Provided,* That the pension herein granted shall be in lieu of all other pensions to which the said Lieutenant Tuerck may be entitled under existing laws: *And provided, further,* That if the said Lieutenant Tuerck shall have heretofore received any money from the government as a pension, under existing laws, the same shall be deducted from the moneys to be received by him under this act.

APPROVED, February 25, 1863.

Feb. 25, 1863.

CHAP. LXIII. — *An Act for the Relief of Hannibal Graham.*

Payment to Hannibal Graham for extra services.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to Hannibal Graham, out of

any money in the treasury not otherwise appropriated, the sum of twelve hundred and forty-eight dollars, in full for extra services about the Capitol between the years eighteen hundred and forty-three and eighteen hundred and fifty-six.

APPROVED, February 25, 1863

CHAP. LXIV. — *An Act for the Relief of Emma L. Fuller.*

Feb. 25, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Emma L. Fuller, widow of Arthur B. Fuller, late chaplain of the sixteenth regiment of Massachusetts volunteers, upon the pension roll, at the rate of twenty dollars per month from the eleventh day of December, eighteen hundred and sixty-two, to continue during her widowhood.

Pension to Emma L. Fuller.

APPROVED, February 25, 1863.

CHAP. LXV. — *An Act for the Relief of Thomas Young and George Young, Owners of the Schooner "Elizabeth Mary."*

Feb. 25, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid to Thomas Young and George Young, owners of the schooner "Elizabeth Mary," of Prince Edward's Island, out of any money in the treasury not otherwise appropriated, the sum of four hundred dollars, the same being the amount of a fine imposed by the New York custom-house for a technical infraction of the revenue laws of the United States by the said schooner "Elizabeth Mary."

Amount of fine remitted to Thomas and George Young.

APPROVED, February 25, 1863.

CHAP. LXVI. — *An Act for the Relief of Elizabeth M. Baxter, Widow of the late Robert Baxter, Second Lieutenant in the tenth Regiment of Minnesota Volunteers.*

Feb. 25, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Elizabeth M. Baxter, of the city of Saint Paul, Ramsay county, State of Minnesota, widow of Second Lieutenant Robert Baxter, of the tenth regiment of Minnesota volunteers, on the pension roll, at the rate of fifteen dollars a month from the second day of September, Anno Domini eighteen hundred and sixty-two, for and during her widowhood.

Pension to Elizabeth M. Baxter.

APPROVED, February 25, 1863.

CHAP. CXXI. — *An Act for the Relief of O. B. and Oliver S. Latham.*

March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized and required to pay to Obediah B. Latham and Oliver S. Latham, out of moneys heretofore appropriated and remaining unexpended, for the erection and enlargement of the custom-houses at Buffalo and Oswego, in the State of New York, the sum of seventy-four thousand five hundred and eighty-three dollars and thirty-seven cents, in full of their claim for moneys due them for the erection and enlargement of said buildings, and all claims of whatever nature by them for work and materials bestowed on said buildings and all matters connected therewith: *Provided*, That if there is not a sufficient amount remaining unexpended as aforesaid to pay the whole of the said sum, that then the said Secretary is hereby authorized and required to pay the bal-

Payment to Obediah B. and Oliver S. Latham.

ance of said sum out of any moneys in the treasury not otherwise appropriated:

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. CXXII. — *An Act for the Relief of Benjamin T. Watson.*

Payment to
Benjamin T.
Watson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be paid, out of any money in the treasury not otherwise appropriated, the sum of four hundred and seventy-five dollars, for filling and grading Virginia avenue, between Ninth and Tenth streets, in square three hundred and eighty-five, under the approval of the Commissioner of Public Buildings and Grounds, in the year eighteen hundred and fifty-four.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. CXXIII. — *An Act for the Relief of Susan Dickson, Widow of John Dickson, deceased.*

1859, ch. 56.
Vol. xi. p. 564.

Whereas by act of Congress passed February twenty-third, eighteen hundred and fifty-nine, the sum of twenty-five thousand dollars was appropriated for the benefit of the captors, in the war of eighteen hundred and twelve, of the British brig "Caledonia"; and whereas it appears that John Dickson, late of Erie, in the State of Pennsylvania, deceased, was one of said captors, and that his name was, by mistake, entered on the list of said captors, now in the Naval Department, as William Dickson, and that said John Dickson left a widow, Susan Dickson, who still survives: Therefore —

Payment to
Susan Dickson.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper disbursing officer of the United States be, and he is hereby, authorized and directed to pay to said Susan Dickson, widow of John Dickson, deceased, the portion or share of said twenty-five thousand dollars which was due to the said John Dickson, deceased, and now stands credited to the name of William Dickson on the records of the Naval Department.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. CXXIV. — *An Act for the Relief of the Administrator of Captain Richard Stevenson, deceased.*

Payment to ad-
ministrator of
Richard Steven-
son.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be allowed a credit to the administrator of the estate of Captain Richard Stevenson, deceased, late an assistant quartermaster of volunteers in the army of the United States, the sum of three thousand dollars, being the amount of money belonging to the government of the United States in his custody as such officer, seized and appropriated in Kentucky by guerillas while in the course of transmission by express on railroad trains from Indianapolis, Indiana, to Nashville, Tennessee, where said Stevenson was on duty.

APPROVED, March 3, 1863.

March 3, 1863.

CHAP. CXXV. — *An Act granting a Pension to Frances H. Plummer, Widow of the late Brigadier-General Joseph B. Plummer, of the United States Army.*

Pension to
Frances H. Plum-
mer.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be directed to place the name of Frances H. Plummer, widow of the late Brigadier-General Joseph B. Plummer, of the United States army, on the pension roll, at the rate of fifty dollars a month, from the

ninth day of August, in the year of our Lord one thousand eight hundred and sixty-two, for and during her widowhood.

APPROVED, March 3, 1863.

CHAP. CXXVI — *An Act to grant a Pension of eight Dollars per Month, during her Widowhood, to Elizabeth Housener.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Elizabeth Housener, of New Philadelphia, Ohio, widow of Christian Housener, late a volunteer private in company B, fifty-first regiment, Ohio volunteer infantry, shall be entitled to a pension of eight dollars per month, to commence from the first day of November, eighteen hundred and sixty-two, and to be continued and paid to her during her widowhood. Pension to Elizabeth Housener.

APPROVED, March 3, 1863.

CHAP. CXXVII — *An Act for the Relief of Caroline T. Renshaw.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Caroline T. Renshaw, sister of the late Commander William B. Renshaw, of the United States navy, upon the pension roll, at the rate of thirty dollars per month from the first day of January, eighteen hundred and sixty-three, to continue during her life. Pension to Caroline T. Renshaw.

APPROVED, March 3, 1863.

CHAP. CXXVIII. — *An Act for the Relief of Margaret L. Stevens, Widow of Brigadier-General Isaac I. Stevens.* March 3, 1863.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Margaret L. Stevens, widow of Brigadier-General Isaac I. Stevens, on the pension roll, at the rate of fifty dollars a month from the first day of September, eighteen hundred and sixty-two, to continue during her widowhood. Pension to Margaret L. Stevens.

APPROVED, March 3, 1863.

RESOLUTIONS.

Jan. 16, 1863. [No. 4.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of Thomas B. King.*

Decision
against Thomas
B. King con-
firmed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of Thomas B. King be, and the same is hereby, confirmed.

APPROVED, January 16, 1863.

Jan. 16, 1863. [No. 5.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of Arthur Edwards and others.*

Decision
against Arthur
Edwards con-
firmed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of Arthur Edwards and others be, and the same is hereby, confirmed.

APPROVED, January 16, 1863.

Jan. 16, 1863. [No. 6.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of George Yates.*

Decision
against George
Yates confirmed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of the heirs of George Yates be, and the same is hereby, confirmed.

APPROVED, January 16, 1863.

Jan. 16, 1863. [No. 7.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of Joshua Eddy's Heirs.*

Decision
against Joshua
Eddy's heirs con-
firmed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of Joshua Eddy's heirs be, and the same is hereby, confirmed.

APPROVED, January 16, 1863.

Jan. 16, 1863. [No. 8.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of J. W. Knaggs, Administrator of Whitmore Knaggs.*

Decision
against James
W. Knaggs con-
firmed.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of James W. Knaggs, administrator of Whitmore Knaggs be, and the same is hereby, confirmed.

APPROVED, January 16, 1863.

[No. 12.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of Moses Yale* Feb. 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of Moses Yale be, and the same is hereby, confirmed. Decision against Moses Yale, confirmed.

APPROVED, February 3, 1863.

[No. 14.] *A Resolution to confirm the adverse Decision of the Court of Claims in the Case of R. A. Clements, Administrator of James N. Mullican.* Feb. 10, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of R. A. Clements, administrator of James N. Mullican be, and the same is hereby, confirmed. Decision against R. A. Clements, confirmed.

APPROVED, February 10, 1863.

[No. 15.] *A Resolution to confirm the adverse Decision of the Court of Claims in the Case of David D. Mitchell.* Feb. 10, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of David D. Mitchell be, and the same is hereby, confirmed. Decision against David D. Mitchell, confirmed.

APPROVED, February 10, 1863.

[No. 16.] *A Resolution to confirm the adverse Decision of the Court of Claims in the Case of Thomas Hicks, Executor of Isaac Hicks.* Feb. 10, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of Thomas Hicks, executor of Isaac Hicks be, and the same is hereby, confirmed. Decision against Thomas Hicks, confirmed.

APPROVED, February 10, 1863.

[No. 17.] *A Resolution to confirm the adverse Decision of the Court of Claims in the Case of Alexander D. Anderson, Administrator of John Anderson.* Feb. 10, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of Alexander D. Anderson, administrator of John Anderson be, and the same is hereby, confirmed. Decision against Alexander D. Anderson, confirmed.

APPROVED, February 10, 1863.

[No. 22.] *A Resolution authorizing the Secretary of the Treasury to pay to Perry E. Brocchus his Salary as Judge of the Supreme Court of the United States for the Territory of New Mexico.* Feb. 25, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, directed to pay to Perry E. Brocchus the sum of six hundred and sixty-four dollars, (\$664,) the same being for salary due the said Brocchus as United States judge for the Territory of New Mexico from the twenty-fourth day of January, eighteen hundred and sixty-one, to the thirty-first day of April of the same year, out of an appropriation already made, in part for that purpose, and still existing, for the payment of judicial salaries for the Territory of New Mexico. Payment to Perry E. Brocchus of \$664 as salary.

APPROVED, February 25, 1863.

Feb. 25, 1863.

[No. 23.] *Joint Resolution authorizing the Navy Department to allow to Paymaster Gilbert E. Thornton four thousand five hundred Dollars, in Settlement of his Accounts, for Money stolen from him without Fault or Negligence on his Part.*

Allowance to be made Gilbert E. Thornton of \$4,500 in settlement of accounts.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized to allow to Paymaster Gilbert E. Thornton, in the settlement of his accounts with said department, the sum of four thousand five hundred dollars, that being the amount stolen from the safe of said paymaster, on board the storeship Brandywine, during his absence upon official business, and without his neglect or fault.

APPROVED, February 25, 1863.

March 3, 1863.

[No. 39.] *Joint Resolution for the Relief of Kate R. Gaither and others.*

Preamble.
1862, ch. 54.
Ante, p. 376.

Whereas the commissioners under the act of Congress entitled "An act for the release of certain persons held to service or labor in the District of Columbia," in a special report to the Secretary of the Treasury, recommended to the equity of Congress certain cases arising under said law in which the claimants could not obtain compensation by reason of the filing of their petitions after the day limited in said act; and whereas said commissioners, considering the equity of said cases, and that the delay in filing said petitions was not voluntary on the part of the claimants, examined into the merits of said claims, and reported the claimants to be otherwise in every respect entitled to the benefits of said act, and in a table marked C, in their report, reported the several amounts to which said claimants would have been entitled, and the appropriation already made for the purpose is amply sufficient to pay said claims: Therefore —

Payments for freed slaves to

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of the appropriation heretofore made, to the following named persons the sums affixed to their respective names, being the same persons and sums designated in their said report in the said table marked C, viz:

Kate R. Gaither.

First. To Kate R. Gaither, the sum of four hundred and thirty-eight dollars.

John C. Brashears.

Second. To John C. Brashears, four hundred and thirty-eight dollars.

Sarah Webster.

Third. To Sarah Webster, three hundred and six dollars and sixty cents.

Hugh McCormick.

Fourth. To Hugh McCormick, eight hundred and ninety-seven dollars and ninety cents.

Lloyd Brooke.

Fifth. To Lloyd Brooke, four hundred and eighty-one dollars and eighty cents.

Ann H. Cunningham.

Sixth. To Ann H. Cunningham, two hundred and forty dollars and ninety cents.

Teresa Ann Saffell.

Seventh. To Teresa Ann Saffell, thirteen hundred and fourteen dollars.

Thomas J. and Mary A. Perry.

Eighth. To Thomas J. Perry and Mary A., his wife, five hundred and sixty-nine dollars and forty cents.

John A. Dorsey.

Ninth. To John A. Dorsey, eleven hundred and thirty-eight dollars and eighty cents.

Mary Stevenson.

Tenth. To Mary Stevenson, thirteen hundred and fourteen dollars.

George White.

Eleventh. To George White, (colored,) six hundred and thirteen dollars and twenty cents.

Moses Kelly.

Twelfth. To Moses Kelly, administrator of W. W. Russell, United States army, four hundred and fifty-nine dollars.

Making in all the sum of seven thousand two hundred and twelve dollars and fifty cents.

And that the said several claimants and cases be included, and the said several sums be paid in the same manner as if said cases and awards had been regularly reported by said commissioners.

Mode of payment.

APPROVED, March 3, 1863.

[No. 40.] *Joint Resolution relative to the Claim of W. Maxwell Wood.*

March 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be authorized to allow to Surgeon William Maxwell Wood, the mileage that would be legally due to him on his return from the East Indies under orders given him by Commodore Armstrong, January twenty-nine, eighteen hundred and fifty-eight.

Allowance to W. Maxwell Wood for travel.

APPROVED, March 3, 1863.

[No. 41.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of Brig. General Armstrong.*

March 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of Brigadier-General Armstrong be, and the same is hereby, confirmed.

Decision against Brig. General Armstrong confirmed.

APPROVED, March 3, 1863.

[No. 42.] *Joint Resolution to confirm the adverse Decision of the Court of Claims in the Case of R. R. Ward and others, Assignees of Jacob Barker.*

March 3, 1863

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the adverse decision of the Court of Claims in the case of R. R. Ward and others, assignees of Jacob Barker, be, and the same is hereby, confirmed.

Decision against R. R. Ward and others confirmed.

APPROVED, March 3, 1863.

[No. 43.] *Joint Resolution authorizing the Adjustment of the Account of Z. B. Caverly, late Secretary of Legation at Peru, for Loss by Exchange.*

March 3, 1863.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the treasury be, and they are hereby, authorized and required to adjust the account of Z. B. Caverly, late secretary of legation at Peru, for loss by exchange, upon the same principle and evidence as governed the adjustment of a like account of John Randolph Clay, late minister to Peru, under the joint resolution of Congress, approved February twenty-first, eighteen hundred and sixty-one.

Account of Z. B. Caverly to be adjusted.

APPROVED, March 3, 1863.

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Treaty between the United States and the Dwámish, Suquámish, and other allied and subordinate Tribes of Indians in Washington Territory. Concluded at Point Elliott, Washington Territory, January 22, 1855. Rati- fied by the Senate, March 8, 1859. Proclaimed by the President of the United States, April 11, 1859.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING : Jan. 22, 1855.

WHEREAS a treaty was made and concluded at Múckl-te-óh, or Point Elliott, in the Territory of Washington, the twenty-second day of January, one thousand eight hundred and fifty-five, by Isaac I. Stevens, governor and superintendent of Indian affairs for the said Territory, on the part of the United States, and the hereinafter-named chiefs, headmen, and dele- gates of the Dwámish, Suquámish, Sk-táhl-mish, Sam-áhmish, Smalh- kahmish, Skope-áhmish, St-káh-mish, Snoquálmoo, Skai-wha-mish, N'Quentl-má-mish, Sk-táh-le-jum, Stoluck-whá-mish, Sno-ho-mish, Skágit, Kik-i-állus, Swin-á-mish, Squin-áh-mish, Sah-ku-méhu, Noo-whá-há, Nook-wa-cháh-mish, Mee-see-qua-guilch, Cho-bah-áh-bish, and other allied and subordinate tribes and bands of Indians occupying certain lands situ- ated in said Territory of Washington, on behalf of said tribes and duly authorized by them; which treaty is in the words and figures following to wit :

Preamble.

Articles of agreement and convention made and concluded at Múckl- te-óh, or Point Elliott, in the Territory of Washington, this twenty-second day of January, eighteen hundred and fifty-five, by Isaac I. Stevens, gov- ernor and superintendent of Indian affairs for the said Territory, on the part of the United States, and the undersigned chiefs, headmen and dele- gates of the Dwámish, Suquámish, Sk-táhl-mish, Sam-áhmish, Smalh- kamish, Skope-áhmish, St-káh-mish, Snoquálmoo, Skai-wha-mish, N'Quentl-má-mish, Sk-táh-le-jum, Stoluck-whá-mish, Sno-ho-mish, Ská- git, Kik-i-állus, Swin-á-mish, Squin-áh-mish, Sah-ku-méhu, Noo-whá-ha, Nook-wa-cháh-mish, Me-sée-qua-guilch, Cho-bah-áh-bish, and other allied and subordinate tribes and bands of Indians occupying certain lands situ- ated in said Territory of Washington, on behalf of said tribes, and duly authorized by them.

Contracting parties.

ARTICLE I. The said tribes and bands of Indians hereby cede, relin- quish, and convey to the United States all their right, title, and interest in and to the lands and country occupied by them, bounded and described as follows: Commencing at a point on the eastern side of Admiralty Inlet, known as Point Pully, about midway between Commencement and Elliott Bays; thence eastwardly, running along the north line of lands heretofore ceded to the United States by the Nisqually, Puyallup, and other Indians, to the summit of the Cascade range of mountains; thence northwardly, following the summit of said range to the 49th par- allel of north latitude; thence west, along said parallel to the middle of the Gulf of Georgia; thence through the middle of said gulf and the main channel through the Canal de Arro to the Straits of Fuca, and crossing the

Cession of lands to the United States.

Boundaries.

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same through the middle of Admiralty Inlet to Suquamish Head; thence southwesterly, through the peninsula, and following the divide between Hood's Canal and Admiralty Inlet to the portage known as Wilkes' Portage; thence northeastwardly, and following the line of lands heretofore ceded as aforesaid to Point Southworth, on the western side of Admiralty Inlet, and thence round the foot of Vashon's Island eastwardly and south-eastwardly to the place of beginning, including all the islands comprised within said boundaries, and all the right, title, and interest of the said tribes and bands to any lands within the territory of the United States.

Reservation.

ARTICLE II. There is, however, reserved for the present use and occupation of the said tribes and bands the following tracts of land, viz: the amount of two sections, or twelve hundred and eighty acres, surrounding the small bight at the head of Port Madison, called by the Indians Noo-sohk-um; the amount of two sections, or twelve hundred and eighty acres, on the north side Hwhomish Bay and the creek emptying into the same called Kwilt-seh-da, the peninsula at the southeastern end of Perry's Island called Sháis-quihl, and the island called Chah-choo-sen, situated in the Lummi River at the point of separation of the mouths emptying respectively into Bellingham Bay and the Gulf of Georgia. All which tracts shall be set apart, and so far as necessary surveyed and marked out for their exclusive use; nor shall any white man be permitted to reside upon the same without permission of the said tribes or bands, and of the superintendent or agent, but, if necessary for the public convenience, roads may be run through the said reserves, the Indians being compensated for any damage thereby done them.

Whites not to reside thereon unless, &c.

Further reservation for school.

ARTICLE III. There is also reserved from out the lands hereby ceded the amount of thirty-six sections, or one township of land, on the northeastern shore of Port Gardner, and north of the mouth of Snohomish River, including Tulalip Bay and the before-mentioned Kwilt-seh-da Creek, for the purpose of establishing thereon an agricultural and industrial school, as hereinafter mentioned and agreed, and with a view of ultimately drawing thereto and settling thereon all the Indians living west of the Cascade Mountains in said Territory. Provided, however, that the President may establish the central agency and general reservation at such other point as he may deem for the benefit of the Indians.

Tribes to settle on reservation within one year.

ARTICLE IV. The said tribes and bands agree to remove to and settle upon the said first above mentioned reservations within one year after the ratification of this treaty, or sooner, if the means are furnished them. In the mean time it shall be lawful for them to reside upon any land not in the actual claim and occupation of citizens of the United States, and upon any land claimed or occupied, if with the permission of the owner.

Rights and privileges secured to Indians.

ARTICLE V. The right of taking fish at usual and accustomed grounds and stations is further secured to said Indians in common with all citizens of the Territory, and of erecting temporary houses for the purpose of curing, together with the privilege of hunting and gathering roots and berries on open and unclaimed lands. Provided, however, that they shall not take shell-fish from any beds staked or cultivated by citizens.

Payment by the United States.

ARTICLE VI. In consideration of the above cession, the United States agree to pay to the said tribes and bands the sum of one hundred and fifty thousand dollars, in the following manner — that is to say: For the first year after the ratification hereof, fifteen thousand dollars; for the next two years, twelve thousand dollars each year; for the next three years, ten thousand dollars each year; for the next four years, seven thousand five hundred dollars each year; for the next five years, six thousand dollars each year; and for the last five years, four thousand two hundred and fifty dollars each year. All which said sums of money shall be applied to the use and benefit of the said Indians under the direction of the President of the United States, who may from time to time

How to be applied.

determine at his discretion upon what beneficial objects to expend the same ; and the Superintendent of Indian Affairs, or other proper officer, shall each year inform the President of the wishes of said Indians in respect thereto.

ARTICLE VII. The President may hereafter, when in his opinion the interests of the Territory shall require and the welfare of the said Indians be promoted, remove them from either or all of the special reservations herebefore made to the said general reservation, or such other suitable place within said Territory as he may deem fit, on remunerating them for their improvements and the expenses of such removal, or may consolidate them with other friendly tribes or bands ; and he may further at his discretion cause the whole or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individuals or families as are willing to avail themselves of the privilege, and will locate on the same as a permanent home on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable. Any substantial improvements heretofore made by any Indian, and which he shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President and payment made accordingly therefor.

Indians may be removed to reservation, etc.

Lots may be assigned to individuals.

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ARTICLE VIII. The annuities of the aforesaid tribes and bands shall not be taken to pay the debts of individuals.

ARTICLE IX. The said tribes and bands acknowledge their dependence on the government of the United States, and promise to be friendly with all citizens thereof, and they pledge themselves to commit no depredations on the property of such citizens. Should any one or more of them violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the government out of their annuities. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and the other Indians to the government of the United States or its agent for decision, and abide thereby. And if any of the said Indians commit depredations on other Indians within the Territory the same rule shall prevail as that prescribed in this article in cases of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

Tribes to preserve friendly relations.

to pay for depredations. not to make war except, &c.

to surrender offenders.

ARTICLE X. The above tribes and bands are desirous to exclude from their reservations the use of ardent spirits, and to prevent their people from drinking the same, and therefore it is provided that any Indian belonging to said tribe who is guilty of bringing liquor into said reservations, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

Annuities to be withheld from those who drink etc., ardent spirits.

ARTICLE XI. The said tribes and bands agree to free all slaves now held by them and not to purchase or acquire others hereafter.

Tribes to free all slaves and not to acquire others.

ARTICLE XII. The said tribes and bands further agree not to trade at Vancouver's Island or elsewhere out of the dominions of the United States, nor shall foreign Indians be permitted to reside in their reservations without consent of the superintendent or agent.

not to trade out of the United States.

ARTICLE XIII. To enable the said Indians to remove to and settle upon their aforesaid reservations, and to clear, fence, and break up a sufficient quantity of land for cultivation, the United States further agree to pay the sum of fifteen thousand dollars to be laid out and expended under the direction of the President and in such manner as he shall approve.

\$15,000 appropriated for expenses of removal and settlement.

ARTICLE XIV. The United States further agree to establish at the general agency for the district of Puget's Sound, within one year from the ratification hereof, and to support for a period of twenty years, an

United States to establish school and provide instructors,

furnish mechanics, shops, physicians, &c

agricultural and industrial school, to be free to children of the said tribes and bands in common with those of the other tribes of said district, and to provide the said school with a suitable instructor or instructors, and also to provide a smithy and carpenter's shop, and furnish them with the necessary tools, and employ a blacksmith, carpenter, and farmer for the like term of twenty years to instruct the Indians in their respective occupations. And the United States finally agree to employ a physician to reside at the said central agency, who shall furnish medicine and advice to their sick, and shall vaccinate them; the expenses of said school, shops, persons employed, and medical attendance to be defrayed by the United States, and not deducted from the annuities.

Treaty when to take effect.

ARTICLE XV. This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

Signatures, Jan. 22, 1855.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs, and the undersigned chiefs, headmen, and delegates of the aforesaid tribes and bands of Indians, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

ISAAC I. STEVENS, *Governor and Superintendent*, [L. s.]

SEATTLE, *Chief of the Dwamish and Suquamish tribes.* his x mark. [L. s.]

PAT-KA-NAM, *Chief of the Snoqualmoo, Snohomish and other tribes.* his x mark. [L. s.]

CHOW-ITS-HOOT, *Chief of the Lummi and other tribes.* his x mark. [L. s.]

GOLIAH, *Chief of the Skagits and other allied tribes.* his x mark. [L. s.]

KWALLATTUM, or General Pierce, *Sub-chief of the Skagit tribe.* his x mark. [L. s.]

S'HOOTST-HOOT, *Sub-chief of Snohomish.* his x mark. [L. s.]

SNAH-TALC, or Bonaparte, *Sub-chief of Snohomish.* his x mark. [L. s.]

SQUUSH-UM, or The Smoke, *Sub-chief of the Snoqualmoo.* his x mark. [L. s.]

SEE-ALLA-PA-HAN, or The Priest, *Sub-chief of Sk-tah-le-jum.* his x mark. [L. s.]

HE-UCH-KA-NAM, or George Bonaparte, *Sub-chief of Snohomish.* his x mark. [L. s.]

TSE-NAH-TALC, or Joseph Bonaparte, *Sub-chief of Snohomish.* his x mark. [L. s.]

NS'SKI-OOS, or Jackson, *Sub-chief of Snohomish.* his x mark. [L. s.]

WATS-KA-LAH-TCHIE, or John Hobst-hoot, *Sub-chief of Snohomish.* his x mark. [L. s.]

SMEH-MAI-HU, *Sub-chief of Skai-wha-mish.* his x mark. [L. s.]

SLAT-EAH-KA-NAM, *Sub-chief of Snoqualmoo.* his x mark. [L. s.]

ST'HAU-AI, *Sub-chief of Snoqualmoo.* his x mark. [L. s.]

LUGS-KEN, *Sub-chief of Skai-wha-mish.* his x mark. [L. s.]

S'HEHT-SOOLT, or Peter, *Sub-chief of Snohomish.* his x mark. [L. s.]

DO-QUEH-OO-SATL, *Snoqualmoo tribe.* his x mark. [L. s.]

JOHN KANAM, *Snoqualmoo sub-chief.* his x mark. [L. s.]

KLEMSH-KA-NAM, *Snoqualmoo.* his x mark. [L. s.]

TS'HUAHNTL, *Dwa-mish sub-chief.* his x mark. [L. s.]

KWUSS-KA-NAM, or George Snatelum, Sen., *Skagit tribe.* his x mark. [L. s.]

HEL-MITS, or George Snatelum, *Skagit sub-chief.* his x mark. [L. s.]

his x mark. [L. s.]

S'KWAI-KWI, <i>Skagit</i> tribe, <i>sub-chief</i> .	his x mark.	[L. s.]
SEH-LEK-QU, <i>Sub-chief Lummi</i> tribe.	his x mark.	[L. s.]
S'H'-CHEH-OOS, or General Washington, <i>Sub-chief of Lummi</i> tribe.	his x mark.	[L. s.]
WHAI-LAN-HU, or Davy Crockett, <i>Sub-chief of Lummi</i> tribe.	his x mark.	[L. s.]
SHE-AH-DELT-HU, <i>Sub-chief of Lummi</i> tribe.	his x mark.	[L. s.]
KWULT-SEH, <i>Sub-chief of Lummi</i> tribe.	his x mark.	[L. s.]
KWULL-ET-HU, <i>Lummi</i> tribe.	his x mark.	[L. s.]
KLEH-KENT-SOOT, <i>Skagit</i> tribe.	his x mark.	[L. s.]
SOHN-HEH-OVS, <i>Skagit</i> tribe.	his x mark.	[L. s.]
S'DEH-AP-KAN, or General Warren, <i>Skagit</i> tribe.	his x mark.	[L. s.]
CHUL-WHIL-TAN, <i>Sub-chief of Suquamish</i> tribe.	his x mark.	[L. s.]
SKE-EH-TUM, <i>Skagit</i> tribe.	his x mark.	[L. s.]
PATCHKANAM, or Dome, <i>Skagit</i> tribe.	his x mark.	[L. s.]
SATS-KANAM, <i>Squin-ah-nush</i> tribe.	his x mark.	[L. s.]
SD-ZO-MAHTL, <i>Kik-ial-lus</i> band.	his x mark.	[L. s.]
DAHTL-DE-MIN, <i>Sub-chief of Sah-ku-meh-hu</i> .	his x mark.	[L. s.]
SD'ZEK-DU-NUM, <i>Me-sek-wi-gualse</i> <i>sub-chief</i> .	his x mark.	[L. s.]
NOW-A-CH AIS, <i>Sub-chief of Dwamish</i> .	his x mark.	[L. s.]
MIS-LO-TCHE, or Wah-hehl-tchoo, <i>Sub-chief of Suquamish</i> .	his x mark.	[L. s.]
SLOO-NOKSH-TAN, or Jim, <i>Suquamish</i> tribe.	his x mark.	[L. s.]
MOO-WHAH-LAD-HU, or Jack, <i>Suquamish</i> tribe.	his x mark.	[L. s.]
TOO-LEH-PLAN, <i>Suquamish</i> tribe.	his x mark.	[L. s.]
HA-SEH-DOO-AN, or Keo-kuck, <i>Dwamish</i> tribe.	his x mark.	[L. s.]
HOOVILT-MEH-TUM, <i>Sub-chief of Suquamish</i> .	his x mark.	[L. s.]
WE-AI-PAH, <i>Skaiwhamish</i> tribe.	his x mark.	[L. s.]
S'AH-AN-HU, or Hallam, <i>Snohomish</i> tribe.	his x mark.	[L. s.]
SHE-HOPE, or General Pierce, <i>Skagit</i> tribe.	his x mark.	[L. s.]
HWN-LAH-LAKQ, or Thomas Jefferson, <i>Lummi</i> tribe.	his x mark.	[L. s.]
CHT-SIMPT, <i>Lummi</i> tribe.	his x mark.	[L. s.]
TSE-SUM-TEN, <i>Lummi</i> tribe.	his x mark.	[L. s.]
KLT-HAHL'TEN, <i>Lummi</i> tribe.	his x mark.	[L. s.]
KUT-TA-KANAM, or John, <i>Lummi</i> tribe.	his x mark.	[L. s.]
CH-LAH-BEN, <i>Noo-qua-cha-mish</i> band.	his x mark.	[L. s.]
NOO-HEH-OOS, <i>Snoqualmoo</i> tribe.	his x mark.	[L. s.]
HWEH-UK, <i>Snoqualmoo</i> tribe.	his x mark.	[L. s.]
PEH-NUS, <i>Skaiwhamish</i> tribe.	his x mark.	[L. s.]
YIM-KA-NAM, <i>Snoqualmoo</i> tribe.	his x mark.	[L. s.]
TWOOI-AS-KUT, <i>Skaiwhamish</i> tribe.	his x mark.	[L. s.]
LUCH-AL-KANAM, <i>Snoqualmoo</i> tribe.	his x mark.	[L. s.]
S'HOOT-KANAM, <i>Snoqualmoo</i> tribe.	his x mark.	[L. s.]
SME-A-KANAM, <i>Snoqualmoo</i> tribe.	his x mark.	[L. s.]
SAD-ZIS-KEH, <i>Snoqualmoo</i> .	his x mark.	[L. s.]
HEH-MAHL, <i>Skaiwhamish</i> band.	his x mark.	[L. s.]
CHARLEY, <i>Skagit</i> tribe.	his x mark.	[L. s.]
SAMPSON, <i>Skagit</i> tribe.	his x mark.	[L. s.]
JOHN TAYLOR, <i>Snohomish</i> tribe.	his x mark.	[L. s.]
HATCH-KWENTUM, <i>Skagit</i> tribe.	his x mark.	[L. s.]
YO-I-KUM, <i>Skagit</i> tribe.	his x mark.	[L. s.]
T'KWA-MA-HAN, <i>Skagit</i> tribe.	his x mark.	[L. s.]
STO-DUM-KAN, <i>Swinamish</i> band.	his x mark.	[L. s.]

BE-LOLE, <i>Swinamish band.</i>	his x mark.	[L. S.]
D'ZO-LOLE-GWAM-HU, <i>Skagit tribe.</i>	his x mark.	[L. S.]
STEH-SHAIL, William, <i>Skaiwhamish band.</i>	his x mark.	[L. S.]
KEL-KAHL-TSOOT, <i>Swinamish tribe.</i>	his x mark.	[L. S.]
PAT-SEN, <i>Skagit tribe.</i>	his x mark.	[L. S.]
PAT-TEH-US, <i>Noo-wha-ah sub-chief.</i>	his x mark.	[L. S.]
S'HOOLK-KA-NAM, <i>Lummi sub-chief.</i>	his x mark.	[L. S.]
CH-LOK-SUTS, <i>Lummi sub-chief.</i>	his x mark.	[L. S.]

Executed in the presence of us—

M. T. SIMMONS, *Indian Agent.*
 C. H. MASON, *Secretary of Washington Territory.*
 BENJ. F. SHAW, *Interpreter.*
 CHAS. M. HITCHCOCK.
 H. A. GOLDSBOROUGH.
 GEORGE GIBBS.
 JOHN H. SCRANTON.
 HENRY D. COCK.
 S. S. FORD, Jr.
 ORRINGTON CUSHMAN.
 ELLIS BARNES.
 R. S. BAILEY.
 S. M. COLLINS.
 LAFAYETTE BALCH.
 E. S. FOWLER.
 J. H. HALL.
 ROBT DAVIS.

Consent of
 Senate,
 March 8, 1859.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the eighth day of March, one thousand eight hundred and fifty-nine, advise and consent to the ratification of its articles by a resolution in the words and figures following, to wit:

“IN EXECUTIVE SESSION,

“SENATE OF THE UNITED STATES, March 8, 1859.

“Resolved, (two-thirds of the senators present concurring.) That the Senate advise and consent to the ratification of treaty between the United States and the chiefs, headmen and delegates of the Dwámish, Suquámish and other allied and subordinate tribes of Indians occupying certain lands situated in Washington Territory, signed the 22d day of January, 1855.

“Attest:

“ASBURY DICKINS, *Secretary.*”

Proclamation,
 April 11, 1859.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the eighth of March, one thousand eight hundred and fifty-nine, accept, ratify, and confirm the said treaty.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, and have signed the same with my hand.

Done at the city of Washington, this eleventh day of April, in
 [SEAL.] the year of our Lord one thousand eight hundred and fifty-nine, and of the independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President:

LEWIS CASS, *Secretary of State.*

*Treaty between the United States of America and the S'Klallams Indians.
Concluded at Point no Point, Washington Territory, January 26, 1855;
Ratified by the Senate, March 8, 1859; Proclaimed by the President of
the United States, April 29, 1859.*

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA:

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: January 26, 1855.

WHEREAS a Treaty was made and concluded at Hahd Skus, or Point no Point, in Washington Territory, on the twenty-sixth day of January, eighteen hundred and fifty-five, between Isaac I. Stevens, Governor and Superintendent of Indian Affairs for the said Territory, on the part of the United States, and the hereinafter named Chiefs, Headmen, and Delegates of the different villages of the S'Klallams Indians, viz.: the Kah-tai, Squah-quaihtl, Teh-queen, Ste-tehtlum, Tsohkw, Yennis, El-hwa, Pishtst, Hunnint, Klat-la-wash, and Oke-no, and also of the Sko-ko-mish, 'Too-an-hooch, and Chem-a-kum tribes occupying certain lands on the straits of Fuca and Hood's Canal, in the Territory of Washington, on behalf of said tribes, and duly authorized by them; which treaty is in the words and figures following, to wit:

Preamble.

Articles of agreement and convention, made and concluded at Hahd-skus, or Point no Point, Suquamish Head, in the Territory of Washington, this twenty-sixth day of January, eighteen hundred and fifty-five, by Isaac I. Stevens, governor and superintendent of Indian affairs for the said Territory, on the part of the United States, and the undersigned chiefs, headmen, and delegates of the different villages of the S'Klallams, viz.: Kah-tai, Squah-quaihtl, Teh-queen, Ste-tehtlum, Tsohkw, Yennis, El-hwa, Pishtst, Hun-nint, Klat-la-wash, and Oke-ho, and also of the Sko-ko-mish, 'To-an-hooch and Chem-a-kum tribes, occupying certain lands on the straits of Fuca and Hood's Canal in the Territory of Washington, on behalf of said tribes, and duly authorized by them.

Contracting parties.

ARTICLE I. The said tribes and bands of Indians hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the lands and country occupied by them, bounded and described as follows, viz.: commencing at the mouth of the Okeho River, on the Straits of Fuca, thence southeastwardly along the westerly line of Territory claimed by the Makah tribe of Indians to the summit of the Cascade range; thence still southeastwardly and southerly along said summit to the head of the west branch of the Satsop River, down that branch to the main fork; thence eastwardly and following the line of lands heretofore ceded to the the United States by the Nisqually and other tribes and bands of Indians, to the summit of the Black Hills, and northeastwardly to the portage known as Wilkes' portage; thence northeastwardly, and following the line of lands heretofore ceded to the United States by the Dwamish, Suquamish, and other tribes and bands of Indians to Suquamish Head; thence northerly through Admiralty Inlet to the Straits of Fuca; thence westwardly through said straits to the place of beginning; including all the right, title, and interest of the said tribes and bands to any land in the Territory of Washington.

Cession of lands to the United States.

Boundaries.

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ante Treaties,
p. 1.

ARTICLE II. There is, however, reserved for the present use and occupation of the said tribes and bands the following tract of land, viz.: the

Reservation.

amount of six sections, or three thousand eight hundred and forty acres, situated at the head of Hood's Canal, to be hereafter set apart, and so far as necessary surveyed and marked out for their exclusive use; nor shall any white man be permitted to reside upon the same without permission of the said tribes and bands, and of the superintendent or agent; but, if necessary for the public convenience, roads may be run through the said reservation, the Indians being compensated for any damage thereby done them. It is, however, understood that should the President of the United States hereafter see fit to place upon the said reservation any other friendly tribe or band, to occupy the same in common with those above mentioned, he shall be at liberty to do so.

Whites not to reside thereon.

Tribes to settle on reservation.

ARTICLE III. The said tribes and bands agree to remove to and settle upon the said reservation within one year after the ratification of this treaty, or sooner if the means are furnished them. In the mean time, it shall be lawful for them to reside upon any lands not in the actual claim or occupation of citizens of the United States, and upon any land claimed or occupied, if with the permission of the owner.

Privileges to the Indians.

ARTICLE IV. The right of taking fish at usual and accustomed grounds and stations is further secured to said Indians, in common with all citizens of the United States; and of erecting temporary houses for the purpose of curing; together with the privilege of hunting and gathering roots and berries on open and unclaimed lands. *Provided, however,* That they shall not take shell-fish from any beds staked or cultivated by citizens.

Payments by the United States.

ARTICLE V. In consideration of the above cession, the United States agree to pay to the said tribes and bands the sum of sixty thousand dollars, in the following manner, that is to say: during the first year after the ratification hereof, six thousand dollars; for the next two years, five thousand dollars each year; for the next three years, four thousand dollars each year; for the next four years, three thousand dollars each year; for the next five years, two thousand four hundred dollars each year; and for the next five years, one thousand six hundred dollars each year. All which said sums of money shall be applied to the use and benefit of the said Indians under the direction of the President of the United States, who may from time to time determine at his discretion upon what beneficial objects to expend the same. And the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of said Indians in respect thereto.

How to be applied.

Appropriation for removal, &c.

ARTICLE VI. To enable the said Indians to remove to and settle upon their aforesaid reservations, and to clear, fence, and break up a sufficient quantity of land for cultivation, the United States further agree to pay the sum of six thousand dollars, to be laid out and expended under the direction of the President, and in such manner as he shall approve.

Indians may be removed to other reservation.

ARTICLE VII. The President may hereafter, when in his opinion the interests of the Territory shall require, and the welfare of said Indians be promoted, remove them from said reservation to such other suitable place or places within said Territory as he may deem fit, on remunerating them for their improvements and the expenses of their removal; or may consolidate them with other friendly tribes or bands. And he may further, at his discretion, cause the whole or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individuals or families as are willing to avail themselves of the privilege, and will locate thereon as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable. Any substantial improvements heretofore made by any Indian, and which he shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President, and payment made therefor accordingly.

Lands may be surveyed and assigned, &c.

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Annuities not to be taken for debts of individuals.

ARTICLE VIII. The annuities of the aforesaid tribes and bands shall not be taken to pay the debts of individuals.

ARTICLE IX. The said tribes and bands acknowledge their dependence on the government of the United States, and promise to be friendly with all citizens thereof; and they pledge themselves to commit no depredations on the property of such citizens. And should any one or more of them violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the government out of their annuities. Nor will they make war on any other tribe, except in self defence, but will submit all matters of difference between them and other Indians to the government of the United States, or its agent, for decision, and abide thereby. And if any of the said Indians commit any depredations on any other Indians within the Territory, the same rule shall prevail as that prescribed in this article in cases of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the United States, but to deliver them up for trial by the authorities.

Tribes to preserve friendly relations,
to pay for depredations.

not to make war but in self defence.

To surrender offenders.

ARTICLE X. The above tribes and bands are desirous to exclude from their reservation the use of ardent spirits, and to prevent their people from drinking the same, and therefore it is provided that any Indian belonging thereto who shall be guilty of bringing liquor into said reservation, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

Annuities may be withheld from those drinking ardent spirits.

ARTICLE XI. The United States further agree to establish at the general agency for the district of Puget's Sound, within one year from the ratification hereof, and to support for the period of twenty years, an agricultural and industrial school, to be free to children of the said tribes and bands in common with those of the other tribes of said district, and to provide a smithy and carpenter's shop, and furnish them with the necessary tools, and employ a blacksmith, carpenter, and farmer for the term of twenty years, to instruct the Indians in their respective occupations. And the United States further agree to employ a physician to reside at the said central agency, who shall furnish medicine and advice to the sick, and shall vaccinate them; the expenses of the said school, shops, persons employed, and medical attendance to be defrayed by the United States, and not deducted from the annuities.

United States to establish school.

Mechanics' shop.

To employ a physician.

ARTICLE XII. The said tribes and bands agree to free all slaves now held by them, and not to purchase or acquire others hereafter.

Tribes to free slaves and not to acquire others.

ARTICLE XIII. The said tribes and bands finally agree not to trade at Vancouver's Island, or elsewhere out of the dominions of the United States, nor shall foreign Indians be permitted to reside in their reservations without consent of the superintendent or agent.

Not to trade out of the United States.

ARTICLE XIV. This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President of the United States.

When treaty to take effect.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs, and the undersigned chiefs, headmen, and delegates of the aforesaid tribes and bands of Indians have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

Signatures, January 26, 1855.

ISAAC I. STEVENS, *Governor and Superintendent.* [L. s.]

CHITS-A-MAH-HAN, the Duke of York, his x mark. [L. s.]
Chief of the S'klallams.

DAH-WHIL-LUK, *Chief of the Sko-ko-mush.* his x mark. [L. s.]

KUL-KAH-HAN, or General Pierce, his x mark. [L. s.]

Chief of the Chem-a-kum.

HOOL-HOLE-TAN, or Jim, *Sko-ko-mish sub-chief.* his x mark. [L. s.]

SAI-A-KADE, or Frank, *Sko-ko-mish sub-chief.* his x mark. [L. s.]

LOO-GWEH-OOS, or George, his x mark. [L. s.]

Sko-ko-mish sub-chief.

E-DAGH-TAN, or Tom, <i>Sko-ko-mish sub-chief.</i>	his x mark.	[L. s.]
KAI-A-HAN, or Daniel Webster, <i>Chem-a-kum sub-chief.</i>	his x mark.	[L. s.]
ETS-SAH-QUAT, <i>Chem-a-kum sub-chief.</i>	his x mark.	[L. s.]
KLEH-A-KUNST, <i>Chem-a-kum sub-chief.</i>	his x mark.	[L. s.]
HE-ATL, Duke of Clarence, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
LACH-KA-NAM, or Lord Nelson, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
TCHOTEST, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
HOOT-OTE ST, or General Lane, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
TO-TOTESH, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
HAH-KWIA-MIHL, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
SKAI-SE-EE, or Mr. Newman, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
KAHS-SAHS-A-MATL, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
S'HOTE-CH-STAN, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
LAH-ST, or Tom, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
TULS-MET-TUM, Lord Jim, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
YAHT-LE-MIN, or General Taylor, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
KLA-KOISHT, or Captain, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
SNA-TALC, or General Scott, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
TSEH-A-TAKE, or Tom Benton, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
YAH-KWI-E-NOOK, or General Gaines, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
KAI-AT-LAH, or General Lane, Jr., <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
CAPTAIN JACK, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
HE-ACH-KATE, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
T'SOH-AS-HAU, or General Harrison, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
KWAH-NALT-SOTE, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
S'HOKI-TAN, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
PAITL, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
WEN-A-HAP, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
KLEW-SUM-AH, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
SE-ATT-HOME-TAU, <i>S'klallam sub-chief.</i>	his x mark.	[L. s.]
TSAT-SAT-HOOT, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
PE-AN-HO, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
YI-AH-HUM, or John Adams, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
TI-ITCH-STAN, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
SOO-YAHNTCH, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
TTSEH-A-TAKE, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
HE-ATS-AT-SOOT, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
TOW-OUTS-HOOT, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
TSHEH-HAM, or General Pierce, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
KWIN-NAS-SUM, or George, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
HAI-AHTS, John, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
HAI-OTEST, John, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
SEH-WIN-NUM, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
YAI-TST, or George, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
HE-PAIT, or John, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
SLIMM, or John, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
T'KLALT-SOOT, or Jack, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
S'TAI-TAN, or Sam, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
HUT-TETS-OOT, <i>S'klallam tribe.</i>	his x mark.	[L. s.]
HOW-A-OWL, <i>S'klallam tribe.</i>	his x mark.	[L. s.]

Executed in the presence of us—

M. T. SIMMONS,
 C. H. MASON, *Secretary Washington Territory*,
 BENJ. F. SHAW, *Interpreter*,
 JOHN H. SCRANTON,
 JOSIAH P. KELLER,
 C. M. HITCHCOCK, M. D.,
 A. B. GOVE,
 H. A. GOLDSBOROUGH,
 B. J. MADISON,
 F. A. ROWE,
 JAS. M. HUNT,
 GEORGE GIBBS, *Secretary*,
 JOHN J. REILLY,
 ROBT. DAVIS,
 S. S. FORD, Jr.,
 H. D. COCK,
 ORRINGTON CUSHMAN,
 J. CONKLIN.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the eighth day of March, one thousand eight hundred and fifty-nine, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:

Ratification,
 March 8, 1859.

“IN EXECUTIVE SESSION,
 “SENATE OF THE UNITED STATES, March 8, 1859.

“*Resolved*, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of treaty between the United States and the S'Klallams Indians occupying lands in the Straits of Fuca and Hood's Island, in Washington Territory, signed 26th January, 1855.

“Attest: “ASBURY DICKINS, *Secretary*.”

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the eighth of March, eighteen hundred and fifty-nine, accept, ratify, and confirm the said treaty.

Proclamation
 April 29, 1859.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, and have signed the same with my hand.

Done at the city of Washington, this twenty-ninth day of April, in the year of our Lord one thousand eight hundred and fifty-nine, and of the independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President:
 LEWIS CASS, *Secretary of State*.

Treaty between the United States of America and the Makah Tribe of Indians. Concluded at Neah Bay, Washington Territory, January 31, 1855. Ratified by the Senate, March 8, 1859. Proclaimed by the President of the United States, April 18, 1859.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: January 31, 1855

WHEREAS a treaty was made and concluded at Neah Bay, in the Territory of Washington, on the thirty-first day of January, eighteen hundred and fifty-five, between Isaac I. Stevens, governor and superintendent of Indian affairs for said Territory, on the part of the United States, and the hereinafter-named chiefs, headmen, and delegates of the several villages of the Makah tribe of Indians, viz.: Neah Waatch, Tsoo-Yess, and Osett, occupying the country around Cape Classett or Flattery, on behalf of the said tribe and duly authorized by the same; which treaty is in the words and figures following, to wit:

Articles of agreement and convention, made and concluded at Neah Bay, in the Territory of Washington, this thirty-first day of January, in the year eighteen hundred and fifty-five, by Isaac I. Stevens, governor and superintendent of Indian affairs for the said Territory, on the part of the United States, and the undersigned chiefs, headmen, and delegates of the several villages of the Makah tribe of Indians, viz.: Neah Waatch, Tsoo-Yess, and Osett, occupying the country around Cape Classett or Flattery, on behalf of the said tribe and duly authorized by the same.

Contracting Parties.

ARTICLE I. The said tribe hereby cedes, relinquishes, and conveys to the United States all their right, title, and interest in and to the lands and country occupied by it, bounded and described as follows, viz: Commencing at the mouth of the Oke-ho River, on the Straits of Fuca; thence running westwardly with said straits to Cape Classett or Flattery; thence southwardly along the coast to Osett, or the lower Cape Flattery; thence eastwardly along the line of lands occupied by the Kwe-déh-tut or Kwill-eh-yute tribe of Indians, to the summit of the coast range of mountains, and thence northwardly along the line of lands lately ceded to the United States by the S'Klallam tribe to the place of beginning, including all the islands lying off the same on the straits and coast.

Surrender of lands to the United States. Boundaries.

Treaties, ante, p. 7.

ARTICLE II. There is, however, reserved for the present use and occupation of the said tribe the following tract of land, viz: Commencing on the beach at the mouth of a small brook running into Neah Bay next to the site of the old Spanish fort; thence along the shore round Cape Classett or Flattery, to the mouth of another small stream running into the bay on the south side of said cape, a little above the Waatch village; thence following said brook to its source; thence in a straight line to the source of the first-mentioned brook, and thence following the same down to the place of beginning; which said tract shall be set apart, and so far as necessary surveyed and marked out for their exclusive use; nor shall any white man be permitted to reside upon the same without permission of the said tribe and of the superintendent or agent; but if necessary for the public convenience, roads may be run through the said reservation, the Indians being compensated for any damage thereby done them. It is, however, understood that should the President of the United States here-

Reservation. Boundaries.

Whites not to reside thereon, unless, &c.

Roads may be made.

Other friendly bands may be placed thereon. after see fit to place upon the said reservation any other friendly tribe or band to occupy the same in common with those above mentioned, he shall be at liberty to do so.

Indians to settle on reservation within a year.

ARTICLE III. The said tribe agrees to remove to and settle upon the said reservation, if required so to do, within one year after the ratification of this treaty, or sooner, if the means are furnished them. In the mean time it shall be lawful for them to reside upon any land not in the actual claim and occupation of citizens of the United States, and upon any land claimed or occupied, if with the permission of the owner.

Rights and privileges secured to Indians.

ARTICLE IV. The right of taking fish and of whaling or sealing at usual and accustomed grounds and stations is further secured to said Indians in common with all citizens of the United States, and of erecting temporary houses for the purpose of curing, together with the privilege of hunting and gathering roots and berries on open and unclaimed lands: *Provided, however,* That they shall not take shell-fish from any beds staked or cultivated by citizens.

Proviso.

Payments by the United States.

ARTICLE V. In consideration of the above cession the United States agree to pay to the said tribe the sum of thirty thousand dollars, in the following manner, that is to say: During the first year after the ratification hereof, three thousand dollars; for the next two years, twenty-five hundred dollars each year; for the next three years, two thousand dollars each year; for the next four years, one thousand five hundred dollars each year; and for the next ten years, one thousand dollars each year; all which said sums of money shall be applied to the use and benefit of the said Indians, under the direction of the President of the United States, who may from time to time determine at his discretion upon what beneficial objects to expend the same. And the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of said Indians in respect thereto.

How to be applied.

Appropriation for removal and for clearing and fencing land, &c.

ARTICLE VI. To enable the said Indians to remove to and settle upon their aforesaid reservation, and to clear, fence, and break up a sufficient quantity of land for cultivation, the United States further agree to pay the sum of three thousand dollars, to be laid out and expended under the direction of the President, and in such manner as he shall approve. And any substantial improvements heretofore made by any individual Indian, and which he may be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President and payment made therefor accordingly.

Indians may be removed from the reservation.

ARTICLE VII. The President may hereafter, when in his opinion the interests of the Territory shall require, and the welfare of said Indians be promoted thereby, remove them from said reservation to such suitable place or places within said Territory as he may deem fit, on remunerating them for their improvements and the expenses of their removal, or may consolidate them with other friendly tribes or bands; and he may further, at his discretion, cause the whole, or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individuals or families as are willing to avail themselves of the privilege, and will locate thereon as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be practicable.

Tribes may be consolidated.

Vol. x. p. 1044.

Annuities of tribes not to pay debts of individuals.

ARTICLE VIII. The annuities of the aforesaid tribe shall not be taken to pay the debts of individuals.

The Indians to preserve friendly relations, &c.

ARTICLE IX. The said Indians acknowledge their dependence on the government of the United States, and promise to be friendly with all citizens thereof, and they pledge themselves to commit no depredations on the property of such citizens. And should any one or more of them violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, or if injured or

To pay for depredations.

destroyed, compensation may be made by the government out of their annuities. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and other Indians to the government of the United States or its agent for decision and abide thereby. And if any of the said Indians commit any depredations on any other Indians within the Territory, the same rule shall prevail as that prescribed in this article in case of depredations against citizens. And the said tribe agrees not to shelter or conceal offenders against the United States, but to deliver up the same for trial by the authorities.

Not to make war except, &c.

To surrender offenders.

ARTICLE X. The above tribe is desirous to exclude from its reservation the use of ardent spirits, and to prevent its people from drinking the same, and therefore it is provided that any Indian belonging thereto who shall be guilty of bringing liquor into said reservation, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

Annuities to be withheld from those drinking ardent spirits.

ARTICLE XI. The United States further agree to establish at the general agency for the district of Puget's Sound, within one year from the ratification hereof, and to support for the period of twenty years, an agricultural and industrial school, to be free to children of the said tribe in common with those of the other tribes of said district and to provide a smithy and carpenter's shop, and furnish them with the necessary tools and employ a blacksmith, carpenter and farmer for the like term to instruct the Indians in their respective occupations. *Provided however,* That should it be deemed expedient a separate school may be established for the benefit of said tribe and such others as may be associated with it, and the like persons employed for the same purposes at some other suitable place. And the United States further agree to employ a physician to reside at the said central agency, or at such other school should one be established, who shall furnish medicine and advice to the sick, and shall vaccinate them; the expenses of the said school, shops, persons employed and medical attendance to be defrayed by the United States and not deducted from the annuities.

The United States to establish an agricultural &c. school for the Indians.

to provide tools and employ mechanics, &c.

a physician, &c.

ARTICLE XII. The said tribe agrees to free all slaves now held by its people and not to purchase or acquire others hereafter.

The tribe is to free all slaves and not to acquire others.

ARTICLE XIII. The said tribe finally agrees not to trade at Vancouver's Island or elsewhere out of the dominions of the United States, nor shall foreign Indians be permitted to reside in its reservation without consent of the superintendent or agent.

not to trade out of the United States.

Foreign Indians not to reside on reservations.

ARTICLE XIV. This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President of the United States.

When treaty to take effect.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs, and the undersigned, chiefs, headmen and delegates of the tribe aforesaid have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

Signatures, January 31, 1855.

ISAAC I. STEVENS, *Governor and Superintendent.* [L. S.]

TSE-KAUWTL, <i>Head Chief of the Makah Tribe.</i>	his x mark.	[L. S.]
KAL-CHOTE, <i>Sub-chief of the Makahs.</i>	his x mark.	[L. S.]
TAH-A-HOWTL, <i>Sub-chief of the Makahs.</i>	his x mark.	[L. S.]
KAH-BACH-SAT, <i>Sub-chief of the Makahs.</i>	his x mark.	[L. S.]
KETS-KUS-SUM, <i>Sub-chief of the Makahs.</i>	his x mark.	[L. S.]
HAATSE, <i>Sub-chief of the Makahs.</i>	his x mark.	[L. S.]
KEH-CHOOK, <i>Sub-chief of the Makahs.</i>	his x mark.	[L. S.]
IT-AN-DA-HA, <i>Sub-chief of the Makahs.</i>	his x mark.	[L. S.]
KLAH-PE-AN-HIE, or Andrew Jackson, <i>Sub-chief of the Makahs.</i>	his x mark.	[L. S.]
TSAL-AB-OOS, or Peter, <i>Neah Village.</i>	his x mark.	[L. S.]

TAHOLA, <i>Neah Village.</i>	his x mark.	[L. S.]
KLEHT-LI-QUAT-STL, <i>Waatch Village.</i>	his x mark.	[L. S.]
TOO-WHAI-TAN, <i>Waatch Village.</i>	his x mark.	[L. S.]
TAHTS-KIN, <i>Neah Village.</i>	his x mark.	[L. S.]
NENCHOOP, <i>Neah Village.</i>	his x mark.	[L. S.]
AH-DE-AK-TOO-AH, <i>Osett Village.</i>	his x mark.	[L. S.]
WILLIAM, <i>Neah Village.</i>	his x mark.	[L. S.]
WAK-KEP-TUP, <i>Waatch Village.</i>	his x mark.	[L. S.]
KLAHT-TE-DI-YUKE, <i>Waatch Village.</i>	his x mark.	[L. S.]
OOBICK, <i>Waatch Village.</i>	his x mark.	[L. S.]
BICH-TOOK, <i>Waatch Village.</i>	his x mark.	[L. S.]
BAHT-SE-DITL, <i>Neah Village.</i>	his x mark.	[L. S.]
WACK-SHIE, <i>Neah Village.</i>	his x mark.	[L. S.]
HAH-YO-HWA, <i>Waatch Village.</i>	his x mark.	[L. S.]
DAHT-LEEK, or Mines, <i>Osett Village.</i>	his x mark.	[L. S.]
PAH-HAT, <i>Neah Village.</i>	his x mark.	[L. S.]
PAI-YEH, <i>Osett Village.</i>	his x mark.	[L. S.]
TSAH-WEH-SUP, <i>Neah Village.</i>	his x mark.	[L. S.]
AL-IS-KAH, <i>Osett Village.</i>	his x mark.	[L. S.]
KWE-TOWTL, <i>Neah Village.</i>	his x mark.	[L. S.]
KAHT-SAHT-WHA, <i>Neah Village.</i>	his x mark.	[L. S.]
TCHOO-QUUT-LAH, or Yes Sir, <i>Neah Village.</i>	his x mark.	[L. S.]
KLATTS-OW-SEHP, <i>Neah Village.</i>	his x mark.	[L. S.]
KAI-KL-CHIS-SUM, <i>Neah Village.</i>	his x mark.	[L. S.]
KAH-KWT-LIT-HA, <i>Waatch Village.</i>	his x mark.	[L. S.]
HE-DAH-TITL, <i>Neah Village.</i>	his x mark.	[L. S.]
SAH-DIT-LE-UAD, <i>Waatch Village.</i>	his x mark.	[L. S.]
KLAH-KU-PIHL, <i>Tsoo-yess Village.</i>	his x mark.	[L. S.]
BILLUK-WHTL, <i>Tsoo-yess Village.</i>	his x mark.	[L. S.]
KWAH-TOO-QUALH, <i>Tsoo-yess Village.</i>	his x mark.	[L. S.]
YOOCH-BOOTT, <i>Tsoo-yess Village.</i>	his x mark.	[L. S.]
SWELL, or Jeff. Davis, <i>Neah Village.</i>	his x mark.	[L. S.]

Executed in the presence of us. The words "five hundred" being first interlined in the 5th article, and erasures made in the 8th and 9th articles.

M. T. SIMMONS, *Indian Agent.*

GEORGE GIBBS, *Secretary.*

B. F. SHAW, *Interpreter.*

C. M. HITCHCOCK, M. D.

E. S. FOWLER.

ORRINGTON CUSHMAN.

ROBT. DAVIS.

Consent of
Senate, March 8,
1859.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the eighth day of March, one thousand eight hundred and fifty-nine, advise and consent to the ratification of the same by a resolution in the words and figures following, to wit:—

"IN EXECUTIVE SESSION,
"SENATE OF THE UNITED STATES, March 8, 1859.

"Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of treaty between the United States and the chiefs, headmen, and delegates of the Makah tribes of Indians occupying the country around Cape Classet or Flattery, in Washington Territory, signed 31st January, 1855.

"Attest:

"ASBURY DICKINS, *Secretary.*"

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate as expressed in their resolution of March eighth, eighteen hundred and fifty-nine, hereby accept, ratify, and confirm the said treaty. Proclamation,
April 18, 1859.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, having signed the same with my hand.

Done at the city of Washington, this eighteenth day of April, in the year of our Lord one thousand eight hundred and fifty-
[SEAL.] nine, and of the independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President:

LEWIS CASS, *Secretary of State.*

Treaty between the United States and the Walla-Walla, Cayuses, and Umatilla Tribes and Bands of Indians in Washington and Oregon Territories. Concluded at Camp Stevens, in the Walla-Walla Valley, Washington Territory, June 9, 1855. Ratified by the Senate, March 8, 1859. Proclaimed by the President of the United States, April 11, 1859.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: June 9, 1855.

WHEREAS a treaty was made and concluded at the treaty ground, Camp Stevens, in the Walla-Walla Valley on the ninth day of June, one thousand eight hundred and fifty-five, between Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, and Joel Palmer, superintendent of Indian affairs for Oregon Territory, on the part of the United States, and the hereinafter named chiefs, headmen and delegates of the Walla-Walla, Cayuses and Umatilla tribes and bands of Indians, occupying lands partly in Washington and partly in Oregon Territory, they being duly authorized thereto by said tribes and bands; which treaty is in the following words and figures, to wit:

Preamble.

Articles of agreement and convention made and concluded at the treaty ground, Camp Stevens, in the Walla-Walla Valley, this ninth day of June, in the year one thousand eight hundred and fifty-five, by and between Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, and Joel Palmer, superintendent of Indian affairs for Oregon Territory, on the part of the United States, and the undersigned chiefs, headmen, and delegates of the Walla-Wallas, Cayuses, and Umatilla tribes, and bands of Indians, occupying lands partly in Washington and partly in Oregon Territories, and who, for the purposes of this treaty, are to be regarded as one nation acting for and in behalf of their respective bands and tribes, they being duly authorized thereto; it being understood that Superintendent I. I. Stevens assumes to treat with that portion of the above named bands and tribes residing within the Territory of Washington, and Superintendent Palmer with those residing within Oregon.

Contracting parties.

ARTICLE I. The above named confederated bands of Indians cede to the United States all their right, title, and claim to all and every part of the country claimed by them, included in the following boundaries, to wit: Commencing at the mouth of the Tocannon River, in Washington Territory, running thence up said river to its source; thence easterly along the summit of the Blue Mountains, and on the southern boundaries of the purchase made of the Nez Percés Indians, and easterly along that boundary to the western limits of the country claimed by the Shoshonees or Snake Indians; thence southerly along that boundary (being the waters of Powder River) to the source of Powder River, thence to the head waters of Willow Creek, thence down Willow Creek to the Columbia River, thence up the channel of the Columbia River to the lower end of a large island below the mouth of Umatilla River, thence northerly to a point on the Yakama River, called Tohmah-luke, thence to Le Lac, thence to the White banks on the Columbia below Priest's Rapids, thence down the Columbia River to the junction of the Columbia and Snake Rivers, thence up the Snake River to the place of beginning: *Provided, however,* That so much

Cession of lands to the United States. Boundaries.

Boundaries.

Reservation.

of the country described above as is contained in the following boundaries shall be set apart as a residence for said Indians, which tract for the purposes contemplated shall be held and regarded as an Indian reservation; to wit: Commencing in the middle of the channel of Umatilla River opposite the mouth of Wild Horse Creek, thence up the middle of the channel of said creek to its source, thence southerly to a point in the Blue Mountains, known as Lee's Encampment, thence in a line to the headwaters of Howtome Creek, thence west to the divide between Howtome and Birch Creeks, thence northerly along said divide to a point due west of the southwest corner of William C. McKay's land claim, thence east along his line to his southeast corner, thence in a line to the place of beginning; all of which tract shall be set apart and, so far as necessary, surveyed and

Whites not to reside thereon, unless, &c.

Tribes to settle thereon in a year.

Rights and privileges secured to the Indians.

Proviso in case any tribe does not accede to this treaty.

Allowance for improvements, if, &c.

Payments by the United States.

How to be expended.

mitted to reside upon the same without permission of the agent and superintendent. The said tribes and bands agree to remove to and settle upon the same within one year after the ratification of this treaty, without any additional expense to the government other than is provided by this treaty, and until the expiration of the time specified, the said bands shall be permitted to occupy and reside upon the tracts now possessed by them, guaranteeing to all citizen[s] of the United States, the right to enter upon and occupy as settlers any lands not actually enclosed by said Indians: *Provided, also,* That the exclusive right of taking fish in the streams running through and bordering said reservation is hereby secured to said Indians, and at all other usual and accustomed stations in common with citizens of the United States, and of erecting suitable buildings for curing the same; the privilege of hunting, gathering roots and berries and pasturing their stock on unclaimed lands in common with citizens, is also secured to them. *And provided, also,* That if any band or bands of Indians, residing in and claiming any portion or portions of the country described in this article, shall not accede to the terms of this treaty, then the bands becoming parties hereunto agree to reserve such part of the several and other payments herein named, as a consideration for the entire country described as aforesaid, as shall be in the proportion that their aggregate number may have to the whole number of Indians residing in and claiming the entire country aforesaid, as consideration and payment in full for the tracts in said country claimed by them. *And provided, also,* That when substantial improvements have been made by any member of the bands being parties to this treaty, who are compelled to abandon them in consequence of said treaty, [they] shall be valued under the direction of the President of the United States, and payment made therefor.

ARTICLE II. In consideration of and payment for the country hereby ceded, the United States agree to pay the bands and tribes of Indians claiming territory and residing in said country, and who remove to and reside upon said reservation, the several sums of money following, to wit: eight thousand dollars per annum for the term of five years, commencing on the first day of September, 1856; six thousand dollars per annum for the term of five years next succeeding the first five; four thousand dollars per annum for the term of five years next succeeding the second five, and two thousand dollars per annum for the term of five years next succeeding the third five; all of which several sums of money shall be expended for the use and benefit of the confederated bands herein named, under the direction of the President of the United States, who may from time to time at his discretion determine what proportion thereof shall be expended for such objects as in his judgment will promote their well-being, and advance them in civilization, for their moral improvement and education, for buildings, opening and fencing farms, breaking land, purchasing teams, wagons, agricultural implements and seeds, for clothing, provision and tools, for medical purposes, providing mechanics and farmers, and for arms and ammunition.

ARTICLE III. In addition to the articles advanced the Indians at the time of signing this treaty, the United States agree to expend the sum of fifty thousand dollars during the first and second years after its ratification, for the erection of buildings on the reservation, fencing and opening farms, for the purchase of teams, farming implements, clothing, and provisions, for medicines and tools, for the payment of employés, and for subsisting the Indians the first year after their removal.

United States
to expend
\$50,000 for
buildings, &c.

ARTICLE IV. In addition to the consideration above specified, the United States agree to erect at suitable points on the reservation, one saw-mill, and one flouring-mill, a building suitable for a hospital, two school-houses, one blacksmith shop, one building for wagon and ploughmaker and one carpenter and joiner shop, one dwelling for each, two millers, one farmer, one superintendent of farming operations, two school teachers, one blacksmith, one wagon and ploughmaker, one carpenter and joiner, to each of which the necessary out buildings. To purchase and keep in repair for the term of twenty years all necessary mill fixtures and mechanical tools, medicines and hospital stores, books and stationery for schools, and furniture for employés.

to erect saw-
mills, schools,
mechanics'
shops, &c.

The United States further engage to secure and pay for the services and subsistence, for the term of twenty years, [of] one superintendent of farming operations, one farmer, one blacksmith, one wagon and ploughmaker, one carpenter and joiner, one physician, and two school teachers.

to employ me-
chanics, teach-
ers, &c.

ARTICLE V. The United States further engage to build for the head chiefs of the Walla-Walla, Cayuse, and Umatilla bands each one dwelling-house, and to plough and fence ten acres of land for each, and to pay to each five hundred dollars per annum in cash for the term of twenty years. The first payment to the Walla-Walla chief to commence upon the signing of this treaty. To give to the Walla-Walla chief three yoke of oxen, three yokes and four chains, one wagon, two ploughs, twelve hoes, twelve axes, two shovels, and one saddle and bridle, one set of wagon harness, and one set of plough harness, within three months after the signing of this treaty.

to build dwell-
ing-houses, &c.
for head chiefs.

To build for the son of Pio-pio-mox-mox one dwelling-house, and plough and fence five acres of land, and to give him a salary for twenty years, one hundred dollars in cash per annum, commencing September first, eighteen hundred and fifty-six.

Pio-pio-mox-
mox.

The improvement named in this section to be completed as soon after the ratification of this treaty as possible.

It is further stipulated that Pio-pio-mox-mox is secured for the term of five years, the right to build and occupy a house at or near the mouth of Yakama River, to be used as a trading post in the sale of his bands of wild cattle ranging in that district. *And provided, also,* That in consequence of the immigrant wagon road from Grand Round to Umatilla, passing through the reservation herein specified, thus leading to turmoils and disputes between Indians and immigrants, and as it is known that a more desirable and practicable route may be had to the south of the present road, that a sum not exceeding ten thousand dollars shall be expended in locating and opening a wagon road from Powder River or Grand Round, so as to reach the plain at the western base of the Blue Mountains, south of the southern limits of said reservation.

\$10,000 to be
expended for
opening wagon
road from Pow-
der River.

ARTICLE VI. The President may, from time to time at his discretion cause the whole or such portion as he may think proper, of the tract that may now or hereafter be set apart as a permanent home for those Indians, to be surveyed into lots and assigned to such Indians of the confederated bands as may wish to enjoy the privilege, and locate thereon permanently, to a single person over twenty-one years of age, forty acres, to a family of two persons, sixty acres, to a family of three and not exceeding five, eighty acres; to a family of six persons and not exceeding ten, one hundred and twenty acres; and to each family over ten in number, twenty

Allotments of
land may be
made to individ-
ual Indians.

acres to each additional three members; and the President may provide for such rules and regulations as will secure to the family in case of the death of the head thereof, the possession and enjoyment of such permanent home and improvement thereon; and he may at any time, at his discretion, after such person or family has made location on the land assigned as a permanent home, issue a patent to such person or family for such assigned land, conditioned that the tract shall not be aliened or leased for a longer term than two years, and shall be exempt from levy, sale, or forfeiture, which condition shall continue in force until a State constitution, embracing such land within its limits, shall have been formed and the legislature of the State shall remove the restriction: *Provided, however*, That no State legislature shall remove the restriction herein provided for without the consent of Congress: *And provided, also*, That if any person or family, shall at any time, neglect or refuse to occupy or till a portion of the land assigned and on which they have located, or shall roam from place to place, indicating a desire to abandon his home, the President may if the patent shall have been issued, cancel the assignment, and may also withhold from such person or family their portion of the annuities or other money due them, until they shall have returned to such permanent home, and resumed the pursuits of industry, and in default of their return the tract may be declared abandoned, and thereafter assigned to some other person or family of Indians residing on said reservation: *And provided, also*, That the head chiefs of the three principal bands, to wit, Pio-pio-mox-mox, Weyatenatemany, and Wenap-shoot, shall be secured in a tract of at least one hundred and sixty acres of land.

ARTICLE VII. The annuities of the Indians shall not be taken to pay the debts of individuals.

ARTICLE VIII. The confederated bands acknowledge their dependence on the government of the United States and promise to be friendly with all the citizens thereof, and pledge themselves to commit no depredation on the property of such citizens, and should any one or more of the Indians violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the government out of their annuities; nor will they make war on any other tribe of Indians except in self-defence, but submit all matter of difference between them and other Indians, to the government of the United States or its agents for decision, and abide thereby; and if any of the said Indians commit any depredations on other Indians, the same rule shall prevail as that prescribed in the article in case of depredations against citizens. Said Indians further engage to submit to and observe all laws, rules, and regulations which may be prescribed by the United States for the government of said Indians.

ARTICLE IX. In order to prevent the evils of intemperance among said Indians, it is hereby provided that if any one of them shall drink liquor, or procure it for others to drink, [such one] may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

ARTICLE X. The said confederated bands agree that, whenever in the opinion of the President of the United States the public interest may require it, *that* all roads highways and railroads shall have the right of way through the reservation herein designated or which may at any time hereafter be set apart as a reservation for said Indians.

ARTICLE XI. This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said I. I. Stevens and Joel Palmer, on the part of the United States, and the undersigned chiefs, headmen, and dele-

Patents may issue therefor. Conditions.

Restriction not to be removed, unless, &c.

Assignment of patent may be cancelled, &c.

Certain head chiefs to have 160 acres.

Annuities of Indians not to pay debts of individuals.

Bands to preserve friendly relations, &c.

to pay &c. for depredations.

not to make war, except, &c.

to submit to regulations.

Annuities withheld from those drinking liquor.

Right of way reserved for roads through reservation.

When treaty to take effect.

Signatures, June 9, 1855.

gates of the said confederated bands, have hereunto set their hands and seals, this ninth day of June, eighteen hundred and fifty-five.

ISAAC I. STEVENS, [L. S.]
Governor and Superintendent Washington Territory.
 JOEL PALMER, [L. S.]
Superintendent Indian Affairs, O. T.

PIO-PIO-MOX-MOX,	his x mark.	[L. S.]
<i>Head Chief of Walla-Wallas.</i>		
MEANI-TEAT or Pierre,	his x mark.	[L. S.]
WEYATENATEMANY,	his x mark.	[L. S.]
<i>Head Chief of Cayuses.</i>		
WENAP-SNOOT,	his x mark.	[L. S.]
<i>Head Chief of Umatilla.</i>		
KAMASPELLO,	his x mark.	[L. S.]
STEACHUS,	his x mark.	[L. S.]
HOWLISH-WAMPO,	his x mark.	[L. S.]
FIVE CROWS,	his x mark.	[L. S.]
STOCHEANIA,	his x mark.	[L. S.]
MU-HOWLISH,	his x mark.	[L. S.]
LIN-TIN-MET-CHEANIA,	his x mark.	[L. S.]
PETAMYO-MOX-MOX,	his x mark.	[L. S.]
WATASH-TE-WATY,	his x mark.	[L. S.]
SHE-YAM-NA-KON,	his x mark.	[L. S.]
QUA-CHIM,	his x mark.	[L. S.]
TE-WALCA-TEMANY,	his x mark.	[L. S.]
KEANTOAN,	his x mark.	[L. S.]
U-WAIT-QUAICK,	his x mark.	[L. S.]
TILCH-A-WAIX,	his x mark.	[L. S.]
LA-TA-CHIN,	his x mark.	[L. S.]
KACHO-ROLICH,	his x mark.	[L. S.]
KANOCEY,	his x mark.	[L. S.]
SOM-NA-HOWLISH,	his x mark.	[L. S.]
TA-WE-WAY,	his x mark.	[L. S.]
HA-HATS-ME-CHEAT-PUS,	his x mark.	[L. S.]
PE-NA-CHEANIT,	his x mark.	[L. S.]
HA-YO-MA-KIN,	his x mark.	[L. S.]
YA-CA-LOX,	his x mark.	[L. S.]
NA-KAS,	his x mark.	[L. S.]
STOP-CHA-YEOU,	his x mark.	[L. S.]
HE-YEAU-SHE-KEAUT,	his x mark.	[L. S.]
SHA-WA-WAY,	his x mark.	[L. S.]
TAM-CHA-KEY,	his x mark.	[L. S.]
TE-NA-WE-NA-CHA,	his x mark.	[L. S.]
JOHNSON,	his x mark.	[L. S.]
WHE-LA-CHEY,	his x mark.	[L. S.]

Signed in the presence of—

JAMES DOTY, *Secretary Treaties.*

WM. C. MCKAY, *Secretary Treaties.*

C. CHIROUSE, *O. M. I.*

A. D. PAMBURN, *Interpreter.*

JOHN WHITFORD, his x mark, *Interpreter.*

MATHEW DOFA, his x mark, *Interpreter.*

WILLIAM CRAIG, *Interpreter.*

JAMES COXEY, his x mark, *Interpreter.*

PATRICK MCKENZIE, *Interpreter.*

ARCH. GRACIE, JR., *Brevet Second Lieutenant 4th Infantry.*

R. R. THOMPSON, *Indian Agent.*

R. B. METCALFE, *Indian Sub-Agent.*

Consent of Senate, March 8, 1859.

And whereas the said treaty was submitted to the Senate of the United States for its constitutional action thereon, and the said Senate did, on the eighth day of March, one thousand eight hundred and fifty-nine, advise and consent to the ratification of the same, by a resolution, in the words and figures following, to wit :

“IN EXECUTIVE SESSION,
“SENATE OF THE UNITED STATES, March 8, 1859.

“Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of [the] treaty between the United States and the chiefs, headmen and delegates of the Walla-Wallas, Cayuses and Umatilla tribes of Indians occupying lands partly in Washington and partly in Oregon Territories, and signed the 9th day of June, 1855.

“Attest :

“ASBURY DICKINS, *Secretary.*”

Proclamation, April 11, 1859.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of March the eighth, one thousand eight hundred and fifty-nine, accept, ratify, and confirm said treaty.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, and have signed the same with my hand.

Done at the City of Washington, this eleventh day of April, in the year of our Lord one thousand eight hundred and fifty-
[SEAL.] nine, and of the independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President:

LEWIS CASS, *Secretary of State.*

Treaty between the United States and the Yakama Nation of Indians. Concluded at Camp Stevens, Walla-Walla Valley, June 9, 1855. Rati- fied by the Senate, March 8, 1859. Proclaimed by the President of the United States, April 18, 1859.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: June 9, 1855.

WHEREAS a treaty was made and concluded at the Treaty Ground, Camp Stevens, Walla-Walla Valley, on the ninth day of June, in the year one thousand eight hundred and fifty-five, between Isaac I. Stevens, governor, and superintendent of Indian affairs, for the Territory of Wash- ington, on the part of the United States, and the hereinafter named head chief, chiefs, headmen and delegates of the Yakama, Palouse, Pisuouse, Wenatshapam, Klikatat, Klinquit, Kow-was-say-ee, Li-ay-was, Skin-pah, Wish-ham, Shyiks, Oche-chotes, Kah-milt-pah, and Se-ap-cat, confederate tribes and bands of Indians, occupying lands lying in Washington Terri- tory, who, for the purposes of this treaty, are to be considered as one nation, under the name of "Yakama," with Kamaiakun as its Head Chief, on behalf of and acting for said bands and tribes, and duly authorized thereto by them; which treaty is in the words and figures following, to wit:

Preamble.

Articles of agreement and convention made and concluded at the treaty ground, Camp Stevens, Walla-Walla Valley, this ninth day of June, in the year one thousand eight hundred and fifty-five, by and between Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, on the part of the United States, and the undersigned head chief, chiefs, headmen and delegates of the Yakama, Palouse, Pisuouse, Wenatshapam, Klikatat, Klinquit, Kow-was-say-ee, Li-ay-was, Skin-pah, Wish-ham, Shyiks, Oche-chotes, Kah-milt-pah, and Se-ap-cat, confederated tribes and bands of Indians, occupying lands hereinafter bounded and described and lying in Washington Territory, who for the purposes of this treaty are to be considered as one nation, under the name of "Yakama," with Kamaiakun as its head chief, on behalf of and acting for said tribes and bands, and being duly authorized thereto by them.

Contracting parties.

ARTICLE I. The aforesaid confederated tribes and bands of Indians hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the lands and country occupied and claimed by them, and bounded and described as follows, to wit:

Cession of lands to the United States.

Commencing at Mount Ranier, thence northerly along the main ridge of the Cascade Mountains to the point where the northern tributaries of Lake Che-lan and the southern tributaries of the Methow River have their rise; thence southeasterly on the divide between the waters of Lake Che-lan and the Methow River to the Columbia River; thence, crossing the Columbia on a true east course, to a point whose longitude is one hundred and nineteen degrees and ten minutes (119° 10'), which two latter lines separate the above confederated tribes and bands from the Oakinakane tribe of Indians; thence in a true south course to the

Boundaries.

forty-seventh (47°) parallel of latitude; thence east on said parallel to the main Palouse River, which two latter lines of boundary separate the above confederated tribes and bands from the Spokanes; thence down the Palouse River to its junction with the Moh-hah-ne-she, or southern tributary of the same; thence, in a southeasterly direction, to the Snake River, at the mouth of the Tucannon River, separating the above confederated tribes from the Nez Percé tribe of Indians; thence down the Snake River to its junction with the Columbia River; thence up the Columbia River to the "White banks," below the Priest's rapids; thence westerly to a lake called "La Lac;" thence southerly to a point on the Yakama River called Toh-mah-luke; thence, in a southwesterly direction, to the Columbia River, at the western extremity of the "Big Island," between the mouths of the Umatilla River and Butler Creek; all which latter boundaries separate the above confederated tribes and bands from the Walla-Walla, Cayuse, and Umatilla tribes and bands of Indians; thence down the Columbia River to midway between the mouths of White Salmon and Wind Rivers; thence along the divide between said rivers to the main ridge of the Cascade Mountains; and thence along said ridge to the place of beginning.

Reservation.

ARTICLE II. There is, however, reserved, from the lands above ceded for the use and occupation of the aforesaid confederated tribes and bands of Indians, the tract of land included within the following boundaries, to wit:

Boundaries.

Commencing on the Yakama River, at the mouth of the Attah-nam River; thence westerly along said Attah-nam River to the forks; thence along the southern tributary to the Cascade Mountains; thence southerly along the main ridge of said mountains, passing south and east of Mount Adams, to the spur whence flows the waters of the Klickitat and Pisco rivers; thence down said spur to the divide between the waters of said rivers; thence along said divide to the divide separating the waters of the Satass River from those flowing into the Columbia River; thence along said divide to the main Yakama, eight miles below the mouth of the Satass River; and thence up the Yakama River to the place of beginning.

Reservation to be set apart, &c. and Indians to settle thereon;

whites not to reside thereon.

All which tract shall be set apart, and, so far as necessary, surveyed and marked out, for the exclusive use and benefit of said confederated tribes and bands of Indians, as an Indian reservation; nor shall any white man, excepting those in the employment of the Indian Department, be permitted to reside upon the said reservation without permission of the tribe and the superintendent and agent. And the said confederated tribes and bands agree to remove to, and settle upon, the same, within one year after the ratification of this treaty. In the mean time it shall be lawful for them to reside upon any ground not in the actual claim and occupation of citizens of the United States; and upon any ground claimed or occupied, if with the permission of the owner or claimant.

Guaranteeing, however, the right to all citizens of the United States, to enter upon and occupy as settlers any lands not actually occupied and cultivated by said Indians at this time, and not included in the reservation above named.

Improvements to be paid for by the United States.

And provided, That any substantial improvements heretofore made by any Indian, such as fields enclosed and cultivated, and houses erected upon the lands hereby ceded, and which he may be compelled to abandon in consequence of this treaty, shall be valued, under the direction of the President of the United States, and payment made therefor in money; or improvements of an equal value made for said Indian upon the reservation. And no Indian will be required to abandon the improvements aforesaid, now occupied by him, until their value in money, or improvements of an equal value shall be furnished him as aforesaid.

ARTICLE III. And provided, That, if necessary for the public con-

venience, roads may be run through the said reservation; and on the other hand, the right of way, with free access from the same to the nearest public highway, is secured to them; as also the right, in common with citizens of the United States, to travel upon all public highways.

Roads may be made.

The exclusive right of taking fish in all the streams, where running through or bordering said reservation, is further secured to said confederated tribes and bands of Indians, as also the right of taking fish at all usual and accustomed places, in common with citizens of the Territory, and of erecting temporary buildings for curing them; together with the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle upon open and unclaimed land.

Privileges secured to Indians.

ARTICLE IV. In consideration of the above cession, the United States agree to pay to the said confederated tribes and bands of Indians, in addition to the goods and provisions distributed to them at the time of signing this treaty, the sum of two hundred thousand dollars, in the following manner, that is to say: sixty thousand dollars, to be expended under the direction of the President of the United States, the first year after the ratification of this treaty, in providing for their removal to the reservation, breaking up and fencing farms, building houses for them, supplying them with provisions and a suitable outfit, and for such other objects as he may deem necessary, and the remainder in annuities, as follows: for the first five years after the ratification of the treaty, ten thousand dollars each year, commencing September first, 1856; for the next five years, eight thousand dollars each year; for the next five years, six thousand dollars per year; and for the next five years, four thousand per year.

Payments by the United States;

All which sums of money shall be applied to the use and benefit of said Indians, under the direction of the President of the United States, who may from time to time determine, at his discretion, upon what beneficial objects to expend the same for them. And the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of the Indians in relation thereto.

how to be applied.

ARTICLE V. The United States further agree to establish at suitable points within said reservation, within one year after the ratification hereof, two schools, erecting the necessary buildings, keeping them in repair, and providing them with furniture, books, and stationery, one of which shall be an agricultural and industrial school, to be located at the agency, and to be free to the children of the said confederated tribes and bands of Indians, and to employ one superintendent of teaching and two teachers; to build two blacksmiths' shops, to one of which shall be attached a tin shop, and to the other a gunsmith's shop; one carpenter's shop, one wagon and ploughmaker's shop, and to keep the same in repair and furnished with the necessary tools; to employ one superintendent of farming and two farmers, two blacksmiths, one tinner, one gunsmith, one carpenter, one wagon and ploughmaker, for the instruction of the Indians in trades and to assist them in the same; to erect one saw-mill and one flouring-mill, keeping the same in repair and furnished with the necessary tools and fixtures; to erect a hospital, keeping the same in repair and provided with the necessary medicines and furniture, and to employ a physician; and to erect, keep in repair, and provided with the necessary furniture, the buildings required for the accommodation of the said employees. The said buildings and establishments to be maintained and kept in repair as aforesaid, and the employees to be kept in service for the period of twenty years.

United States to establish schools,

mechanics' shops,

saw-mill and flouring-mill, hospital.

And in view of the fact that the head chief of the said confederated tribes and bands of Indians is expected, and will be called upon, to perform many services of a public character, occupying much of his time, the United States further agree to pay to the said confederated tribes and bands of Indians five hundred dollars per year, for the term of twenty years after the ratification hereof, as a salary for such person as the said

Salary to head chief; house, &c

confederated tribes and bands of Indians may select to be their head chief; to build for him at a suitable point on the reservation a comfortable house and properly furnish the same, and to plough and fence ten acres of land. The said salary to be paid to, and the said house to be occupied by, such head chief so long as he may continue to hold that office.

Kamaiakun is the head chief.

And it is distinctly understood and agreed that at the time of the conclusion of this treaty Kamaiakun is the duly elected and authorized head chief of the confederated tribes and bands aforesaid, styled the Yakama nation, and is recognized as such by them and by the commissioners on the part of the United States holding this treaty; and all the expenditures and expenses contemplated in this article of this treaty shall be defrayed by the United States, and shall not be deducted from the annuities agreed to be paid to said confederated tribes and bands of Indians. Nor shall the cost of transporting the goods for the annuity payments be a charge upon the annuities, but shall be defrayed by the United States.

Reservation may be surveyed into lots, and assigned to individuals or families.

ARTICLE VI. The President may, from time to time, at his discretion, cause the whole or such portions of such reservation as he may think proper, to be surveyed into lots, and assign the same to such individuals or families of the said confederated tribes and bands of Indians as are willing to avail themselves of the privilege, and will locate on the same as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable.

Vol. x. p. 1044.

Annuities not to pay debts of individuals.

ARTICLE VII. The annuities of the aforesaid confederated tribes and bands of Indians shall not be taken to pay the debts of individuals.

Tribes to preserve friendly relations;

ARTICLE VIII. The aforesaid confederated tribes and bands of Indians acknowledge their dependence upon the government of the United States, and promise to be friendly with all citizens thereof, and pledge themselves to commit no depredations upon the property of such citizens.

to pay for depredations;

And should any one or more of them violate this pledge, and the fact be satisfactorily proved before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the government out of the annuities.

not to make war but in self-defence;

Nor will they make war upon any other tribe, except in self-defence, but will submit all matters of difference between them and other Indians to the government of the United States or its agent for decision, and abide thereby. And if any of the said Indians commit depredations on any other Indians within the Territory of Washington or Oregon, the same rule shall prevail as that provided in this article in case of depredations against citizens. And the said confederated tribes and bands of Indians agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

to surrender offenders.

Annuities may be withheld from those who drink ardent spirits.

ARTICLE IX. The said confederated tribes and bands of Indians desire to exclude from their reservation the use of ardent spirits, and to prevent their people from drinking the same, and, therefore, it is provided that any Indian belonging to said confederated tribes and bands of Indians, who is guilty of bringing liquor into said reservation, or who drinks liquor, may have his or her annuities withheld from him or her for such time as the President may determine.

Wenatshapam fishery reserved.

ARTICLE X. *And provided,* That there is also reserved and set apart from the lands ceded by this treaty, for the use and benefit of the aforesaid confederated tribes and bands, a tract of land not exceeding in quantity one township of six miles square, situated at the forks of the Pisquouse or Wenatshapam River, and known as the "Wenatshapam fishery," which said reservation shall be surveyed and marked out whenever the President may direct, and be subject to the same provisions and restrictions as other Indian reservations.

When treaty to take effect.

ARTICLE XI. This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, and the undersigned head chief, chiefs, headmen, and delegates of the aforesaid confederated tribes and bands of Indians, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

ISAAC I. STEVENS,
Governor and Superintendent. [L. s.]

KAMAIKUN,	his x mark.	[L. s.]
SKLOOM,	his x mark.	[L. s.]
OWHI,	his x mark.	[L. s.]
TE-COLE-KUN,	his x mark.	[L. s.]
LA-HOOM,	his x mark.	[L. s.]
ME-NI-NOCK,	his x mark.	[L. s.]
ELIT PALMER,	his x mark.	[L. s.]
WISH-OCH-KMPITS,	his x mark.	[L. s.]
KOO-LAT-TOOSE,	his x mark.	[L. s.]
SHEE-AH-COTTE,	his x mark.	[L. s.]
TUCK-QUILLE,	his x mark.	[L. s.]
KA-LOO-AS,	his x mark.	[L. s.]
SCHA-NOO-A,	his x mark.	[L. s.]
SLA-KISH,	his x mark.	[L. s.]

Signed and sealed in presence of —

JAMES DOTY, *Secretary of Treaties*,
 MIE. CLES. PANDOSY, *O. M. T.*,
 WM. C. MCKAY,
 W. H. TAPPAN, *Sub Indian Agent, W. T.*,
 C. CHIROUSE, *O. M. T.*,
 PATRICK MCKENZIE, *Interpreter*,
 A. D. PAMBURN, *Interpreter*,
 JOEL PALMER, *Superintendent Indian Affairs, O. T.*,
 W. D. BIGLOW,
 A. D. PAMBURN, *Interpreter*.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the said Senate did, on the eighth day of March, one thousand eight hundred and fifty-nine, advise and consent to the ratification of the same by a resolution in the words and figures following, to wit:

“IN EXECUTIVE SESSION,
 “SENATE OF THE UNITED STATES, March 8, 1859.

“Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of treaty between the United States and the head chief, chiefs, headmen, and delegates of the Yakama, Palouse, and other confederated tribes and bands of Indians, occupying lands lying in Washington Territory, who, for the purposes of this treaty, are to be considered as one nation, under the name of “Yakama,” with Kamaiakun as its head chief, signed 9th June, 1855.

“Attest: “ASBURY DICKINS, *Secretary.*”

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of March eighth, one thousand eight hundred and fifty-nine, accept, ratify, and confirm the said treaty.

Proclamation,
 April 18, 1859.

TREATY WITH THE YAKAMAS. JUNE 9, 1855.

In testimony whereof, I have hereunto caused the seal of the United States to be affixed, and have signed the same with my hand.

Done at the city of Washington, this eighteenth day of April, in the year of our Lord one thousand eight hundred and fifty-
[SEAL.] nine, and of the independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President:

LEWIS CASS, *Secretary of State.*

Treaty between the United States of America and the Nez Percé Indians. Concluded at Camp Stevens, in the Walla-Walla Valley, June 11, 1855. Ratified by the Senate, March 8, 1859. Proclaimed by the President of the United States, April 29, 1859.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: June 11, 1855.

WHEREAS a treaty was made and concluded at the treaty ground, Camp Stevens, in the Walla-Walla Valley, on the eleventh day of June, one thousand eight hundred and fifty-five, between Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, and Joel Palmer, superintendent of Indian affairs for Oregon Territory, on the part of the United States, and the hereinafter-named Chiefs, Headmen, and Delegates of the Nez Percé tribe of Indians occupying lands lying partly in Oregon and partly in Washington Territory, between the Cascade and the Bitter Root Mountains, on behalf of and duly authorized by said tribe, which said treaty is in the words and figures following, to wit:

Preamble.

Articles of agreement and convention made and concluded at the treaty ground, Camp Stevens, in the Walla-Walla Valley, this eleventh day of June, in the year one thousand eight hundred and fifty-five, by and between Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, and Joel Palmer, superintendent of Indian affairs for Oregon Territory, on the part of the United States, and the undersigned chiefs, headmen, and delegates of the Nez Percé tribe of Indians occupying lands lying partly in Oregon and partly in Washington Territories, between the Cascade and Bitter Root Mountains, on behalf of, and acting for said tribe, and being duly authorized thereto by them, it being understood that Superintendent Isaac I. Stevens assumes to treat only with those of the above-named tribe of Indians residing within the Territory of Washington, and Superintendent Palmer with those residing exclusively in Oregon Territory.

Contracting parties.

ARTICLE I. The said Nez Percé tribe of Indians hereby cede, relinquish and convey to the United States all their right, title, and interest in and to the country occupied or claimed by them, bounded and described as follows, to wit: Commencing at the source of the Wo-na-ne-she or southern tributary of the Palouse River; thence down that river to the main Palouse; thence in a southerly direction to the Snake River, at the mouth of the Tucanon River; thence up the Tucanon to its source in the Blue Mountains; thence southerly along the ridge of the Blue Mountains; thence to a point on Grand Ronde River, midway between Grand Ronde and the mouth of the Woll-low-how River; thence along the divide between the waters of the Woll-low-how and Powder River; thence to the crossing of Snake River, at the mouth of Powder River; thence to the Salmon River, fifty miles above the place known [as] the "crossing of the Salmon River;" thence due north to the summit of the Bitter Root Mountains; thence along the crest of the Bitter Root Mountains to the place of beginning.

Cession of lands to the United States.

Boundaries.

ARTICLE II. There is, however, reserved from the lands above ceded for the use and occupation of the said tribe, and as a general reservation

Reservation.

Boundaries.

for other friendly tribes and bands of Indians in Washington Territory, not to exceed the present numbers of the Spokane, Walla-Walla, Cayuse, and Umatilla tribes and bands of Indians, the tract of land included within the following boundaries, to wit: commencing where the Moh-ha-nashe or southern tributary of the Palouse River flows from the spurs of the Bitter Root Mountains; thence down said tributary to the mouth of the Ti-nat-pan-up Creek, thence southerly to the crossing of the Snake River ten miles below the mouth of the Al-po-wa-wi River; thence to the source of the Al-po-wa-wi River in the Blue Mountains; thence along the crest of the Blue Mountains; thence to the crossing of the Grand Ronde River, midway between the Grand Ronde and the mouth of the Woll-low-how River; thence along the divide between the waters of the Woll-low-how and Powder Rivers; thence to the crossing of the Snake River fifteen miles below the mouth of the Powder River; thence to the Salmon River above the crossing; thence by the spurs of the Bitter Root Mountains to the place of beginning.

Reservation to be set apart, &c., and Indians to settle thereon.

Whites not to reside thereon without, &c.

Improvements to be paid for by the United States.

Roads may be made.

Privileges secured to Indians.

Payments by the United States.

All which tract shall be set apart, and, so far as necessary, surveyed and marked out for the exclusive use and benefit of said tribe as an Indian reservation; nor shall any white man, excepting those in the employment of the Indian department, be permitted to reside upon the said reservation without permission of the tribe and the superintendent and agent; and the said tribe agrees to remove to and settle upon the same within one year after the ratification of this treaty. In the mean time it shall be lawful for them to reside upon any ground not in the actual claim and occupation of citizens of the United States, and upon any ground claimed or occupied, if with the permission of the owner or claimant, guarantying, however, the right to all citizens of the United States to enter upon and occupy as settlers any lands not actually occupied and cultivated by said Indians at this time, and not included in the reservation above named.

And provided that any substantial improvement heretofore made by any Indian, such as fields enclosed and cultivated, and houses erected upon the lands hereby ceded, and which he may be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President of the United States, and payment made therefor in money, or improvements of an equal value be made for said Indian upon the reservation, and no Indian will be required to abandon the improvements aforesaid, now occupied by him, until their value in money or improvements of equal value shall be furnished him as aforesaid.

ARTICLE III. And provided that, if necessary for the public convenience, roads may be run through the said reservation, and, on the other hand, the right of way with free access from the same to the nearest public highway is secured to them, as also the right, in common with citizens of the United States, to travel upon all public highways. The use of the Clear Water and other streams flowing through the reservation is also secured to citizens of the United States for rafting purposes, and as public highways.

The exclusive right of taking fish in all the streams where running through or bordering said reservation is further secured to said Indians; as also the right of taking fish at all usual and accustomed places in common with citizens of the Territory; and of erecting temporary buildings for curing, together with the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle upon open and unclaimed land.

ARTICLE IV. In consideration of the above cession, the United States agree to pay to the said tribe in addition to the goods and provisions distributed to them at the time of signing this treaty, the sum of two hundred thousand dollars, in the following manner, that is to say, sixty thousand dollars, to be expended under the direction of the President of the United States, the first year after the ratification of this

treaty, in providing for their removal to the reserve, breaking up and fencing farms, building houses, supplying them with provisions and a suitable outfit, and for such other objects as he may deem necessary, and the remainder in annuities, as follows: for the first five years after the ratification of this treaty, ten thousand dollars each year, commencing September 1, 1856; for the next five years, eight thousand dollars each year; for the next five years, six thousand each year, and for the next five years, four thousand dollars each year.

All which said sums of money shall be applied to the use and benefit of the said Indians, under the direction of the President of the United States, who may from time to time determine, at his discretion, upon what beneficial objects to expend the same for them. And the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of the Indians in relation thereto.

ARTICLE V. The United States further agree to establish, at suitable points within said reservation, within one year after the ratification hereof, two schools, erecting the necessary buildings, keeping the same in repair, and providing them with furniture, books, and stationery, one of which shall be an agricultural and industrial school, to be located at the agency, and to be free to the children of said tribe, and to employ one superintendent of teaching and two teachers; to build two blacksmith's shops, to one of which shall be attached a tin shop and to the other a gunsmith's shop; one carpenter's shop, one wagon and ploughmaker's shop, and to keep the same in repair, and furnished with the necessary tools; to employ one superintendent of farming and two farmers, two blacksmiths, one tinner, one gunsmith, one carpenter, one wagon and ploughmaker, for the instruction of the Indians in trades, and to assist them in the same; to erect one saw-mill and one flouring-mill, keeping the same in repair, and furnished with the necessary tools and fixtures, and to employ two millers; to erect a hospital, keeping the same in repair, and provided with the necessary medicines and furniture, and to employ a physician; and to erect, keep in repair, and provide with the necessary furniture the buildings required for the accommodation of the said employees. The said buildings and establishments to be maintained and kept in repair as aforesaid, and the employees to be kept in service for the period of twenty years.

And in view of the fact that the head chief of the tribe is expected, and will be called upon, to perform many services of a public character, occupying much of his time, the United States further agrees to pay to the Nez Percé tribe five hundred dollars per year for the term of twenty years, after the ratification hereof, as a salary for such person as the tribe may select to be its head chief. To build for him, at a suitable point on the reservation, a comfortable house, and properly furnish the same, and to plough and fence for his use ten acres of land. The said salary to be paid to, and the said house to be occupied by, such head chief so long as he may be elected to that position by his tribe, and no longer.

And all the expenditures and expenses contemplated in this fifth article of this treaty shall be defrayed by the United States, and shall not be deducted from the annuities agreed to be paid to said tribe, nor shall the cost of transporting the goods for the annuity payments be a charge upon the annuities, but shall be defrayed by the United States.

ARTICLE VI. The President may from time to time, at his discretion, cause the whole, or such portions of such reservation as he may think proper, to be surveyed into lots, and assign the same to such individuals or families of the said tribe as are willing to avail themselves of the privilege, and will locate on the same as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas in the year 1854, so far as the same may be applicable.

Payments how to be applied

United States to establish schools, &c.

to build mechanics' shops, &c.

saw-mill.

hospital.

Salary to head-chief, house, &c.

Reservation may be surveyed into lots and assigned to individuals or families.

Annuities not to pay debts of individuals.

Tribes to preserve friendly relations.

to pay for depredations.

not to make war except in self-defence.

to surrender offenders.

Annuities may be withheld from those who drink ardent spirits.

Land of William Craig.

When treaty to take effect.

Signatures, June 11, 1855.

ARTICLE VII. The annuities of the aforesaid tribe shall not be taken to pay the debts of individuals.

ARTICLE VIII. The aforesaid tribe acknowledge their dependence upon the government of the United States, and promise to be friendly with all citizens thereof, and pledge themselves to commit no depredations on the property of such citizens; and should any one or more of them violate this pledge, and the fact be satisfactorily proved before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the government out of the annuities. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and the other Indians to the government of the United States, or its agent, for decision, and abide thereby; and if any of the said Indians commit any depredations on any other Indians within the Territory of Washington, the same rule shall prevail as that prescribed in this article in cases of depredations against citizens. And the said tribe agrees not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

ARTICLE IX. The Nez Percés desire to exclude from their reservation the use of ardent spirits, and to prevent their people from drinking the same; and therefore it is provided that any Indian belonging to said tribe who is guilty of bringing liquor into said reservation, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

ARTICLE X. The Nez Percé Indians having expressed in council a desire that William Craig should continue to live with them, he having uniformly shown himself their friend, it is further agreed that the tract of land now occupied by him, and described in his notice to the register and receiver of the land office of the Territory of Washington, on the fourth day of June last, shall not be considered a part of the reservation provided for in this treaty, except that it shall be subject in common with the lands of the reservation to the operations of the intercourse act.

ARTICLE XI. This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, and Joel Palmer, superintendent of Indian affairs for Oregon Territory, and the chiefs, headmen, and delegates of the aforesaid Nez Percé tribe of Indians, have hereunto set their hands and seals, at the place, and on the day and year hereinbefore written.

ISAAC I. STEVENS, [L. s.]
Governor and Sup't Washington Territory.
 JOEL PALMER, [L. s.]
Superintendent Indian Affairs.

ALEIYA, or Lawyer, <i>Head-chief of the Nez Percés,</i>	[L. s.]
APPUSHWA-HITE, or Looking-glass, his x mark.	[L. s.]
JOSEPH,	his x mark. [L. s.]
JAMES,	his x mark. [L. s.]
RED WOLF,	his x mark. [L. s.]
TIMOTHY,	his x mark. [L. s.]
U-UTE-SIN-MALE-CUN,	his x mark. [L. s.]
SPOTTED EAGE,	his x mark. [L. s.]
STOOP-TOOP-NIN, or Cut-Hair,	his x mark. [L. s.]
TAH-MOH-MOH-KIN,	his x mark. [L. s.]
TIPPELANECBUPOOH,	his x mark. [L. s.]
HAH-HAH-STILPILP,	his x mark. [L. s.]
COOL-COOL-SHUA-NIN,	his x mark. [L. s.]

SILISH,	his x mark.	[L. s.]
TOH-TOH-MOLEWIT,	his x mark.	[L. s.]
TUKY-IN-LIK-IT,	his x mark.	[L. s.]
TE-HOLE-HOLE-SOOT,	his x mark.	[L. s.]
ISH-COH-TIM,	his x mark.	[L. s.]
WEE-AS-CUS,	his x mark.	[L. s.]
HAH-HAH-STOORE-TEE,	his x mark.	[L. s.]
EEE-MAHT-SIN-POOH,	his x mark.	[L. s.]
TOW-WISH-AU-IL-PILP,	his x mark.	[L. s.]
KAY-KAY-MASS,	his x mark.	[L. s.]
SPEAKING EAGLE,	his x mark.	[L. s.]
WAT-TI-WAT-TI-WAH-HI,	his x mark.	[L. s.]
HOWH-NO-TAH-KUN,	his x mark.	[L. s.]
TOW-WISH-WANE,	his x mark.	[L. s.]
WAHPT-TAH-SHOOSHE,	his x mark.	[L. s.]
BEAD NECKLACE,	his x mark.	[L. s.]
KOOS-KOOS-TAS-KUT,	his x mark.	[L. s.]
LEVI,	his x mark.	[L. s.]
PEE-OO-PE-WHI-HI,	his x mark.	[L. s.]
PEE-OO-PEE-IECTEIM,	his x mark.	[L. s.]
PEE-POOME-KAH,	his x mark.	[L. s.]
HAH-HAH-STLIL-AT-ME,	his x mark.	[L. s.]
WEE-YOKE-SIN-ATE,	his x mark.	[L. s.]
WEE-AH-KI,	his x mark.	[L. s.]
NECALAHTSIN,	his x mark.	[L. s.]
SUCK-ON-TIE,	his x mark.	[L. s.]
IP-NAT-TAM-MOOSE,	his x mark.	[L. s.]
JASON,	his x mark.	[L. s.]
KOLE-KOLE-TIL-KY,	his x mark.	[L. s.]
IN-MAT-TUTE-KAH-KY,	his x mark.	[L. s.]
MOH-SEE-CHEE,	his x mark.	[L. s.]
GEORGE,	his x mark.	[L. s.]
NICKE-EL-IT-MAY-HO,	his x mark.	[L. s.]
SAY-IEE-OUSE,	his x mark.	[L. s.]
WIS-TASSE-CUT,	his x mark.	[L. s.]
KY-KY-SOO-TE-LUM,	his x mark.	[L. s.]
KO-KO-WHAY-NEE,	his x mark.	[L. s.]
KWIN-TO-KOW,	his x mark.	[L. s.]
PEE-WEE-AU-AP-TAH,	his x mark.	[L. s.]
WEE-AT-TENAT-IL-PILP,	his x mark.	[L. s.]
PEE-OO-PEE-U-IL-PILP,	his x mark.	[L. s.]
WAH-TASS-TUM-MANNEE,	his x mark.	[L. s.]
TU-WEE-SI-CE,	his x mark.	[L. s.]
LU-EE-SIN-KAH-KOOSE-SIN,	his x mark.	[L. s.]
HAH-TAL-EE-KIN,	his x mark.	[L. s.]

Signed and sealed in presence of us—

JAMES DOTY, *Secretary of Treaties, W. T.*
 WM. C. MCKAY, *Secretary of Treaties, O. T.*
 W. H. TAPPAN, *Sub-Indian Agent,*
 WILLIAM CRAIG, *Interpreter,*
 A. D. PAMBURN, *Interpreter,*
 WM. McBEAN,
 GEO. C. BOMFORD,
 C. CHIROUSE, *O. M. T.*
 MIE. CLES. PANDOSY,
 LAWRENCE KIP,
 W. H. PEARSON.

Ratification,
March 8, 1859.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the eighth day of March, eighteen hundred and fifty-nine, advise and consent to the ratification of the same, by a resolution, in the words and figures following, to wit :

“IN EXECUTIVE SESSION,
“SENATE OF THE UNITED STATES, March 8, 1859.

“*Resolved*, (two thirds of the senators present concurring.) That the Senate advise and consent to the ratification of treaty between the United States and the chiefs, headmen and delegates of the Nez Percé tribe of Indians, occupying lands lying partly in Washington and partly in Oregon Territories, between the Cascade and Bitter Root Mountains, signed 11th day June, 1855.

“Attest :

“ASBURY DICKINS, *Secretary*.”

Proclamation,
April 29, 1859.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate as expressed in their resolution of the eighth of March, eighteen hundred and fifty-nine, accept, ratify, and confirm the said treaty.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, and have signed the same with my hand.

Done at the city of Washington, this twenty-ninth day of April, in the year of our Lord one thousand eight hundred and fifty-
[SEAL.] nine, and of the independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President :

LEWIS CASS, *Secretary of State*.

Treaty between the United States and the confederated tribes and bands of Indians in Middle Oregon. Concluded at Wasco, in Oregon Territory, June 25, 1855. Ratified by the Senate, March 8, 1859. Proclaimed by the President of the United States, April 18, 1859.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: June 25, 1855.

WHEREAS a treaty was made and concluded at Wasco, near the Dalles of the Columbia River, in Oregon Territory, on the twenty-fifth day of June, eighteen hundred and fifty-five, between Joel Palmer, superintendent of Indian affairs for the said Territory, on the part of the United States, and the following-named chiefs and headmen of the confederated tribes and bands of Indians residing in Middle Oregon, they being authorized thereto by their respective bands, to wit: Symtustus, Locks-quis-sa, Shick-a-me, and Kuck-up, chiefs of the Ta-ih or Upper De Chutes band of Walla-Wallas; Stocket-ly and Iso, chiefs of Wyam or Lower De Chutes band of Walla-Wallas; Alexis and Talk-ish, chiefs of the Tenino band of Walla-Wallas; Yise, chief of the Dock-spus or John Day's River band of Walla-Wallas; Mark, William Chenook, and Cush-Kella, chiefs of the Dalles band of the Wascoes; Toh-simph, chief of the Ki-gal-twal-la band of the Wascoes, and Wal-la-chin, chief of the Dog River band of the Wascoes; which treaty is in the words and figures following, to wit:

Preamble.

Articles of agreement and convention made and concluded at Wasco, near the Dalles of the Columbia River, in Oregon Territory, by Joel Palmer, superintendent of Indian affairs, on the part of the United States, and the following-named chiefs and headmen of the confederated tribes and bands of Indians, residing in Middle Oregon, they being duly authorized thereto by their respective bands, to wit: Symtustus, Locks-quis-sa, Shick-a-me, and Kuck-up, chiefs of the Taih or Upper De Chutes band of Walla-Wallas; Stocket-ly and Iso, chiefs of the Wyam or Lower De Chutes band of Walla-Wallas; Alexis and Talk-ish, chiefs of the Tenino band of Walla-Wallas; Yise, chief of the Dock-spus or John Day's River band of Walla-Wallas; Mark, William Chenook, and Cush-Kella, chiefs of the Dalles band of the Wascoes; Toh-simph, chief of the Ki-gal-twal-la band of Wascoes; and Wal-la-chin, chief of the Dog River band of Wascoes.

Contracting parties.

ARTICLE I. The above-named confederated bands of Indians cede to the United States all their right, title, and claim to all and every part of the country claimed by them, included in the following boundaries, to wit:

Cession of lands to the United States.

Commencing in the middle of the Columbia River, at the Cascade Falls, and running thence southerly to the summit of the Cascade Mountains; thence along said summit to the forty-fourth parallel of north latitude; thence east on that parallel to the summit of the Blue Mountains, or the western boundary of the Sho-sho-ne or Snake country; thence northerly along that summit to a point due east from the head waters of Willow Creek; thence west to the head waters of said creek; thence down said stream to its junction with the Columbia River; and thence down the channel of the Columbia River to the place of beginning. Pro-

Boundaries.

Reservation. *vided, however,* that so much of the country described above as is contained in the following boundaries, shall, until otherwise directed by the President of the United States, be set apart as a residence for said Indians, which tract for the purposes contemplated shall be held and regarded as an Indian reservation, to wit :

Boundaries. Commencing in the middle of the channel of the De Chutes River opposite the eastern termination of a range of high lands usually known as the Mutton Mountains; thence westerly to the summit of said range, along the divide to its connection with the Cascade Mountains; thence to the summit of said mountains; thence southerly to Mount Jefferson; thence down the main branch of De Chutes River; heading in this peak, to its junction with De Chutes River; and thence down the middle of the channel of said river to the place of beginning. All of which tract shall be set apart, and, so far as necessary, surveyed and marked out for their exclusive use; nor shall any white persons be permitted to reside upon the same without the concurrent permission of the agent and superintendent.

Whites not to reside thereon unless, &c.

Bands to settle thereon within a year.

Another reservation may be selected in lieu of this, if, &c.

Rights and privileges secured to Indians.

Proviso in case any band does not accede to this treaty.

Allowance for improvements if, &c.

The said bands and tribes agree to remove to and settle upon the same within one year after the ratification of this treaty, without any additional expense to the United States other than is provided for by this treaty; and, until the expiration of the time specified, the said bands shall be permitted to occupy and reside upon the tracts now possessed by them, guaranteeing to all white citizens the right to enter upon and occupy as settlers any lands not included in said reservation, and not actually enclosed by said Indians. *Provided, however,* That prior to the removal of said Indians to said reservation, and before any improvements contemplated by this treaty shall have been commenced, that if the three principal bands, to wit: the Wascopum, Tiah, or Upper De Chutes, and the Lower De Chutes bands of Walla-Wallas shall express in council, a desire that some other reservation may be selected for them, that the three bands named may select each three persons of their respective bands, who with the superintendent of Indian affairs or agent as may by him be directed, shall proceed to examine, and if another location can be selected, better suited to the condition and wants of said Indians, that is unoccupied by the whites, and upon which the board of commissioners thus selected may agree, the same shall be declared a reservation for said Indians, instead of the tract named in this treaty. *Provided, also,* That the exclusive right of taking fish in the streams running through and bordering said reservation is hereby secured to said Indians; and at all other usual and accustomed stations, in common with citizens of the United States, and of erecting suitable houses for curing the same; also the privilege of hunting, gathering roots and berries, and pasturing their stock on unclaimed lands, in common with citizens, is secured to them. *And provided, also,* That if any band or bands of Indians, residing in and claiming any portion or portions of the country in this article, shall not accede to the terms of this treaty, then the bands becoming parties hereunto agree to receive such part of the several and other payments herein named as a consideration for the entire country described as aforesaid as shall be in the proportion that their aggregate number may have to the whole number of Indians residing in and claiming the entire country aforesaid, as consideration and payment in full for the tracts in said country claimed by them. *And provided, also,* That where substantial improvements have been made by any members of the bands being parties to this treaty, who are compelled to abandon them in consequence of said treaty, the same shall be valued, under the direction of the President of the United States, and payment made therefor; or, in lieu of said payment, improvements of equal extent and value at their option shall be made for them on the tracts assigned to each respectively.

ARTICLE II. In consideration of, and payment for, the country hereby

ceded, the United States agree to pay the bands and tribes of Indians claiming territory and residing in said country, the several sums of money following, to wit: Payments by the United States.

Eight thousand dollars per annum for the first five years, commencing on the first day of September, 1856, or as soon thereafter as practicable.

Six thousand dollars per annum for the term of five years next succeeding the first five.

Four thousand dollars per annum for the term of five years next succeeding the second five; and

Two thousand dollars per annum for the term of five years next succeeding the third five.

All of which several sums of money shall be expended for the use and benefit of the confederated bands, under the direction of the President of the United States, who may from time to time at his discretion determine what proportion thereof shall be expended for such objects as in his judgment will promote their well-being and advance them in civilization; for their moral improvement and education; for building, opening and fencing farms, breaking land, providing teams, stock, agricultural implements, seeds, &c.; for clothing, provisions, and tools; for medical purposes, providing mechanics and farmers, and for arms and ammunition. How to be expended.

ARTICLE III. The United States agree to pay said Indians the additional sum of fifty thousand dollars, a portion whereof shall be applied to the payment for such articles as may be advanced them at the time of signing this treaty, and in providing, after the ratification thereof, and prior to their removal, such articles as may be deemed by the President essential to their want; for the erection of buildings on the reservation, fencing and opening farms; for the purchase of teams, farming implements, clothing and provisions, tools, seeds, and for the payment of employees; and for subsisting the Indians the first year after their removal. \$50,000 additional to be expended for buildings, &c.

ARTICLE IV. In addition to the considerations specified, the United States agree to erect, at suitable points on the reservation, one saw-mill and one flouring-mill; suitable hospital buildings; one school house; one blacksmith shop with a tin and a gunsmith shop thereto attached; one wagon and ploughmaker shop; and for one sawyer, one miller, one superintendent of farming operations, a farmer, a physician, a school teacher, a blacksmith, and a wagon and ploughmaker, a dwelling house and the requisite outbuildings for each; and to purchase and keep in repair for the time specified for furnishing employees, all necessary mill fixtures, mechanics' tools, medicines and hospital stores, books and stationery for schools, and furniture for employees. United States to erect saw-mills, school-house, &c.

The United States further engage to secure and pay for the services and subsistence, for the term of fifteen years, of one farmer, one blacksmith, and one wagon and ploughmaker; and for the term of twenty years, of one physician, one sawyer, one miller, one superintendent of farming operations, and one school teacher. to furnish farmer, mechanics, physician, &c.

The United States also engage to erect four dwelling houses; one for the head chief of the confederated bands, and one each for the Upper and Lower De Chutes bands of Walla-Wallas, and for the Wascopum band of Wascoes, and to fence and plough for each of the said chiefs ten acres of land; also to pay the head chief of the confederated bands a salary of five hundred dollars per annum for twenty years, commencing six months after the three principal bands named in this treaty shall have removed to the reservation, or as soon thereafter as a head chief should be elected: *And provided, also,* That at any time, when by the death, resignation, or removal of the chief selected, there shall be a vacancy, and a successor appointed or selected, the salary, the dwelling and improvements shall be possessed by said successor, so long as he shall occupy the position as head chief; so also with reference to the dwellings and improvements to erect dwelling houses, &c. for head chiefs.
Successor of head chief to take them.

provided for by this treaty for the head chiefs of the three principal bands named.

Lands may be allotted to individual Indians for permanent home.

ARTICLE V. The President may from time to time at his discretion cause the whole, or such portion as he may think proper, of the tract that may now or hereafter be set apart as a permanent home for these Indians, to be surveyed into lots and assigned to such Indians of the confederated bands as may wish to enjoy the privilege, and locate thereon permanently. To a single person over twenty-one years of age, forty acres; to a family of two persons, sixty acres; to a family of three and not exceeding five, eighty acres; to a family of six persons, and not exceeding ten, one hundred and twenty acres; and to each family over ten in number, twenty acres for each additional three members. And the President may provide such rules and regulations as will secure to the family in case of the death of the head thereof, the possession and enjoyment of such permanent home and the improvement thereon; and he may, at any time, at his discretion, after such person or family has made location on the land assigned as a permanent home, issue a patent to such person or family for such assigned land, conditioned that the tract shall not be aliened or leased for a longer term than two years and shall be exempt from levy, sale or forfeiture, which condition shall continue in force until a State constitution embracing such lands within its limits shall have been formed, and the legislature of the State shall remove the restrictions. *Provided, however,* That no State legislature shall remove the restrictions herein provided for without the consent of Congress. *And provided, also,* That if any person or family shall at any time neglect or refuse to occupy or till a portion of the land assigned and on which they have located, or shall roam from place to place indicating a desire to abandon his home, the President may, if the patent shall have been issued, revoke the same, and if not issued, cancel the assignment, and may also withhold from such person, or family, their portion of the annuities or other money due them, until they shall have returned to such permanent home, and resumed the pursuits of industry, and in default of their return the tract may be declared abandoned, and thereafter assigned to some other person or family of Indians residing on said reservation.

Patent to issue therefor; conditions thereof.

Restrictions not to be removed without, &c.

Patent may be cancelled.

Annuities of Indians not to pay debts of individuals.

ARTICLE VI. The annuities of the Indians shall not be taken to pay the debts of individuals.

Bands to preserve friendly relations.

ARTICLE VII. The confederated bands acknowledge their dependence on the government of the United States, and promise to be friendly with all the citizens thereof, and pledge themselves to commit no depredation on the property of said citizens; and should any one or more of the Indians violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the government out of their annuities; nor will they make war on any other tribe of Indians except in self-defence, but submit all matters of difference between them and other Indians to the government of the United States, or its agents, for decision, and abide thereby; and if any of the said Indians commit any depredations on other Indians, the same rule shall prevail as that prescribed in the case of depredations against citizens; said Indians further engage to submit to and observe all laws, rules, and regulations which may be prescribed by the United States for the government of said Indians.

to pay for depredations.

not to make war, except, &c.

Annuities to be withheld from those drinking liquor to excess.

ARTICLE VIII. In order to prevent the evils of intemperance among said Indians, it is hereby provided, that if any one of them shall drink liquor to excess, or procure it for others to drink, his or her proportion of the annuities may be withheld from him or her for such time as the President may determine.

ARTICLE IX. The said confederated bands agree that whensoever, in the opinion of the President of the United States, the public interest may

require it, that all roads, highways, and railroads shall have the right of way through the reservation herein designated, or which may at any time hereafter be set apart as a reservation for said Indians.

This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Joel Palmer, on the part of the United States, and the undersigned, chiefs, headmen, and delegates of the said confederated bands, have hereunto set their hands and seals, this twenty-fifth day of June, eighteen hundred fifty-five.

JOEL PALMER, [L. s.]
Superintendent of Indian Affairs, O. T.

Wasco.

MARK, his x mark. [L. s.]
WILLIAM CHENOOK, his x mark. [L. s.]
CUSH KELLA, his x mark. [L. s.]

Lower De Chutes.

STOCK-ETLEY, his x mark. [L. s.]
ISO, his x mark. [L. s.]

Upper De Chutes.

SIMTUSTUS, his x mark. [L. s.]
LOCKSQUISSA, his x mark. [L. s.]
SHICK-AME, his x mark. [L. s.]
KUCK-UP, his x mark. [L. s.]

Tenino.

ALEXSEE, his x mark. [L. s.]
TALEKISH, his x mark. [L. s.]

Dog River Wasco.

WALACHIN, his x mark. [L. s.]
TAH SYMPH, his x mark. [L. s.]
ASH-NA-CHAT, his x mark. [L. s.]
CHE-WOT-NLETH, his x mark. [L. s.]
TE-CHO, his x mark. [L. s.]
SHA-QUALLY, his x mark. [L. s.]
LOUIS, his x mark. [L. s.]
YISE, his x mark. [L. s.]
STAMITE, his x mark. [L. s.]
TA-CHO, his x mark. [L. s.]
PENOP-TEYOT, his x mark. [L. s.]
ELOSH-KISH-KIE, his x mark. [L. s.]
AM. ZELIC, his x mark. [L. s.]
KE-CHAC, his x mark. [L. s.]
TANES SALMON, his x mark. [L. s.]
TA-KOS, his x mark. [L. s.]
DAVID, his x mark. [L. s.]
SOWAL-WE, his x mark. [L. s.]
POSTIE, his x mark. [L. s.]
YAWAN-SHEWIT, his x mark. [L. s.]
OWN-APS, his x mark. [L. s.]
KOSSA, his x mark. [L. s.]
PA-WASH-TI-MANE, his x mark. [L. s.]
MA-WE-NIT, his x mark. [L. s.]
TIPSO, his x mark. [L. s.]
JIM, his x mark. [L. s.]

Roads, &c., may be made through reservation.

When treaty to take effect.

Signatures.
June 25, 1855.

PETER,	his x mark.	[L. S.]
NA-YOCT,	his x mark.	[L. S.]
WAL-TACOM,	his x mark.	[L. S.]
CHO-KALTH,	his x mark.	[L. S.]
PAL-STA,	his x mark.	[L. S.]
MISSION JOHN,	his x mark.	[L. S.]
LE KA-YA,	his x mark.	[L. S.]
LA-WIT-CHIN,	his x mark.	[L. S.]
LOW-LAS,	his x mark.	[L. S.]
THOMSON,	his x mark.	[L. S.]
CHARLEY,	his x mark.	[L. S.]
COPEFORNIA,	his x mark.	[L. S.]
WA-TOI-METTLA,	his x mark.	[L. S.]
KE-LA,	his x mark.	[L. S.]
PA-OW-NE,	his x mark.	[L. S.]
KUCK-UP,	his x mark.	[L. S.]
POYET,	his x mark.	[L. S.]
YA-WA-CLAX,	his x mark.	[L. S.]
TAM-CHA-WIT,	his x mark.	[L. S.]
TAM-MO-YO-CAM,	his x mark.	[L. S.]
WAS-CA-CAN,	his x mark.	[L. S.]
TALLE KISH,	his x mark.	[L. S.]
WALEME TOACH,	his x mark.	[L. S.]
SITE-WE-LOCH,	his x mark.	[L. S.]
MA-NI-NECT,	his x mark.	[L. S.]
PICH-KAN,	his x mark.	[L. S.]
POUH-QUE,	his x mark.	[L. S.]
EYE-EYA,	his x mark.	[L. S.]
KAM-KUS,	his x mark.	[L. S.]
SIM-YO,	his x mark.	[L. S.]
KAS-LA-CHIN,	his x mark.	[L. S.]
PIO-SHO-SHE,	his x mark.	[L. S.]
MOP-PA-MAN,	his x mark.	[L. S.]
SHO-ES,	his x mark.	[L. S.]
TA-MO-LITS,	his x mark.	[L. S.]
KA-LIM,	his x mark.	[L. S.]
TA-YES,	his x mark.	[L. S.]
WAS-EN-WAS,	his x mark.	[L. S.]
E-YATH KLOPPY,	his x mark.	[L. S.]
PADDY,	his x mark.	[L. S.]
STO-QUIN,	his x mark.	[L. S.]
CHARLEY-MAN,	his x mark.	[L. S.]
ILE-CHO,	his x mark.	[L. S.]
PATE-CHAM,	his x mark.	[L. S.]
YAN-CHE-WOC,	his x mark.	[L. S.]
YA-TOCH-LA-LE,	his x mark.	[L. S.]
ALPY,	his x mark.	[L. S.]
PICH,	his x mark.	[L. S.]
WILLIAM,	his x mark.	[L. S.]
PETER,	his x mark.	[L. S.]
ISCHA YA,	his x mark.	[L. S.]
GEORGE,	his x mark.	[L. S.]
JIM,	his x mark.	[L. S.]
SE-YA-LAS-KA,	his x mark.	[L. S.]
HA-LAI-KOLA,	his x mark.	[L. S.]
PIERRO,	his x mark.	[L. S.]
ASH-LO-WASH,	his x mark.	[L. S.]
PAYA-TILCH,	his x mark.	[L. S.]
SAE-PA-WALTCHA,	his x mark.	[L. S.]

SHALQUILKEY,	his x mark.	[L. S.]
WA-QUAL-LOL,	his x mark.	[L. S.]
SIM-KUI-KUI,	his x mark.	[L. S.]
WACHA-CHILEY,	his x mark.	[L. S.]
CHI-KAL-KIN,	his x mark.	[L. S.]
SQUA-YASH,	his x mark.	[L. S.]
SHA KA,	his x mark.	[L. S.]
KEAUI-SENE,	his x mark.	[L. S.]
CHE-CHIS,	his x mark.	[L. S.]
SCHE-NOWAY,	his x mark.	[L. S.]
SCHO-LEY,	his x mark.	[L. S.]
WE-YA-THLEY,	his x mark.	[L. S.]
PA-LEYATHLEY,	his x mark.	[L. S.]
KEYATH,	his x mark.	[L. S.]
I-POTH-PAL,	his x mark.	[L. S.]
S. KOLPS,	his x mark.	[L. S.]
WALIMTALIN,	his x mark.	[L. S.]
TASH WICK,	his x mark.	[L. S.]
HAWATCH-CAN,	his x mark.	[L. S.]
TA-WAIT-CLA,	his x mark.	[L. S.]
PATOCH SNORT,	his x mark.	[L. S.]
TACHINS,	his x mark.	[L. S.]
COMOCHAL,	his x mark.	[L. S.]
PASSAYEI,	his x mark.	[L. S.]
WATAN-CHA,	his x mark.	[L. S.]
TA-WASH,	his x mark.	[L. S.]
A-NOUTH-SHOT,	his x mark.	[L. S.]
HANWAKE,	his x mark.	[L. S.]
PATA-LA-SET,	his x mark.	[L. S.]
TASH-WEICT,	his x mark.	[L. S.]
WESCHA-MATOLLA,	his x mark.	[L. S.]
CHLE-MOCHLE-MO,	his x mark.	[L. S.]
QUAE-TUS,	his x mark.	[L. S.]
SKUILTS,	his x mark.	[L. S.]
PANOSPAM,	his x mark.	[L. S.]
STOLAMETA,	his x mark.	[L. S.]
TAMAYECHOTOTE,	his x mark.	[L. S.]
QUA-LOSH-KIN,	his x mark.	[L. S.]
WISKA KA,	his x mark.	[L. S.]
CHE-LO-THA,	his x mark.	[L. S.]
WETONE-YATH,	his x mark.	[L. S.]
WE-YA-LO-CHO-WIT,	his x mark.	[L. S.]
YOKA-NOLTH,	his x mark.	[L. S.]
WACHA-KA-POLLE,	his x mark.	[L. S.]
KON-NE,	his x mark.	[L. S.]
ASH-KA-WISH,	his x mark.	[L. S.]
PASQUAI,	his x mark.	[L. S.]
WASSO-KUI,	his x mark.	[L. S.]
QUAINO-SATH,	his x mark.	[L. S.]
CHA-YA-TEMA,	his x mark.	[L. S.]
WA-YA-LO-CHOL-WIT,	his x mark.	[L. S.]
FLITCH KUI KUI,	his x mark.	[L. S.]
WALCHA KAS,	his x mark.	[L. S.]
WATCH-TLA,	his x mark.	[L. S.]
ENIAS,	his x mark.	[L. S.]

Signed in presence of—

WM. C. MCKAY, *Secretary of Treaty, O. T.*
 R. R. THOMPSON, *Indian Agent.*

R. B. METCALFE, *Indian Sub-Agent.*

C. MESPOTIE.

JOHN FLETT, *Interpreter.*

DOMINICK JONDRON, his x mark, *Interpreter.*

MATHEW DOFA, his x mark, *Interpreter.*

Consent of
Senate, March 8,
1859.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the eighth day of March, eighteen hundred and fifty-nine, advise and consent to the ratification of the same by a resolution in the words and figures following, to wit :

“IN EXECUTIVE SESSION,

“SENATE OF THE UNITED STATES, March 8, 1859.

“*Resolved*, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of treaty between the United States and the Chiefs and Headmen of the confederated tribes and bands of Indians, residing in Middle Oregon, signed the 25th day of June, 1855.

“Attest :

“ASBURY DICKINS, *Secretary.*”

Proclamation,
April 18, 1859.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate as expressed in their resolution of the eighth of March, eighteen hundred and fifty-nine, accept, ratify, and confirm the said treaty.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, and have signed the same with my hand.

Done at the City of Washington, this eighteenth day of April,

[SEAL.] in the year of our Lord one thousand eight hundred and fifty-nine, and of the Independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President :

LEWIS CASS, *Secretary of State.*

Treaty between the United States and the Qui-nai-elt and Quil-leh-ute Indians. Concluded on the Qui-nai-elt River, in the Territory of Washington, July 1, 1855, and at the city of Olympia, January 25, 1856. Ratified by the Senate, March 8, 1859. Proclaimed by the President of the United States, April 11, 1859.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: July 1, 1855.
January 25, 1856.

Preamble.

WHEREAS a treaty was made and concluded on the Qui-nai-elt River, in the Territory of Washington, on the first day of July, one thousand eight hundred and fifty-five, and at the city of Olympia also in said Territory, on the twenty-fifth day of January, one thousand eight hundred and fifty-six, between Isaac I. Stevens, governor and superintendent of Indian affairs in the Territory aforesaid, on the part of the United States, and the hereinafter-named chiefs, headmen, and delegates of the different tribes and bands of the Qui-nai-elt and Quil-leh-ute Indians, on the part of said tribes and bands, and duly authorized thereto by them; which treaty is in the words and figures following, to wit:—

Articles of agreement and convention made and concluded by and between Isaac I. Stevens, governor and superintendent of Indian affairs, of the Territory of Washington, on the part of the United States, and the undersigned chiefs, headmen, and delegates of the different tribes and bands of the Qui-nai-elt and Quil-leh-ute Indians, on the part of said tribes and bands, and duly authorized thereto by them. Contracting parties.

ARTICLE I. The said tribes and bands hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the lands and country occupied by them, bounded and described as follows: Commencing at a point on the Pacific coast, which is the southwest corner of the lands lately ceded by the Makah tribe of Indians to the United States, and running easterly with and along the southern boundary of the said Makah tribe to the middle of the coast range of mountains; thence southerly with said range of mountains to their intersection with the dividing ridge between the Chehalis and Quinialt Rivers; thence westerly with said ridge to the Pacific coast; thence northerly along said coast to the place of beginning. Surrender of lands to the United States. Boundaries.

ARTICLE II. There shall, however, be reserved, for the use and occupation of the tribes and bands aforesaid, a tract or tracts of land sufficient for their wants within the Territory of Washington, to be selected by the President of the United States, and hereafter surveyed or located and set apart for their exclusive use, and no white man shall be permitted to reside thereon without permission of the tribe and of the superintendent of Indian affairs or Indian agent. And the said tribes and bands agree to remove to and settle upon the same within one year after the ratification of this treaty, or sooner if the means are furnished them. In the mean time it shall be lawful for them to reside upon any lands not in the actual claim and occupation of citizens of the United States, and upon any lands claimed or occupied, if with the permission of the owner or claimant. If necessary for the public convenience, roads may be run through said reservation, on compensation being made for any damage sustained thereby. Reservation within the Territory of Washington. Whites not to reside thereon, unless, &c. Indians to remove and settle there. Roads may be made.

Rights and
privileges se-
cured to the
Indians.

ARTICLE III. The right of taking fish at all usual and accustomed grounds and stations is secured to said Indians in common with all citizens of the Territory, and of erecting temporary houses for the purpose of curing the same; together with the privilege of hunting, gathering roots and berries, and pasturing their horses on all open and unclaimed lands. *Provided, however,* That they shall not take shell-fish from any beds staked or cultivated by citizens; and provided, also, that they shall alter all stallions not intended for breeding, and shall keep up and confine the stallions themselves.

Payments by
the United
States.

ARTICLE IV. In consideration of the above cession, the United States agree to pay to the said tribes and bands the sum of twenty-five thousand dollars, in the following manner, that is to say: For the first year after the ratification hereof, two thousand five hundred dollars; for the next two years, two thousand dollars each year; for the next three years, one thousand six hundred dollars each year; for the next four years, one thousand three hundred dollars each year; for the next five years, one thousand dollars each year; and for the next five years, seven hundred dollars each year. All of which sums of money shall be applied to the use and benefit of the said Indians under the directions of the President of the United States, who may from time to time determine at his discretion upon what beneficial objects to expend the same; and the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of said Indians in respect thereto.

How to be
applied.

Appropriation
for removal, for
clearing and
fencing land, &c.

ARTICLE V. To enable the said Indians to remove to and settle upon such reservation as may be selected for them by the President, and to clear, fence, and break up a sufficient quantity of land for cultivation, the United States further agree to pay the sum of two thousand five hundred dollars, to be laid out and expended under the direction of the President, and in such manner as he shall approve.

Indians may
be removed from
the reservation,
&c.

ARTICLE VI. The President may hereafter, when in his opinion the interests of the Territory shall require, and the welfare of the said Indians be promoted by it, remove them from said reservation or reservations to such other suitable place or places within said Territory as he may deem fit, on remunerating them for their improvements and the expenses of their removal, or may consolidate them with other friendly tribes or bands, in which latter case the annuities, payable to the consolidated tribes respectively, shall also be consolidated; and he may further, at his discretion, cause the whole or any portion of the lands to be reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individuals or families as are willing to avail themselves of the privilege, and will locate on the same as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable. Any substantial improvements heretofore made by any Indians, and which they shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President, and payment made accordingly therefor.

Tribes and
annuities may be
consolidated.

Vol. x. p. 1044.

Annuities of
tribes not to pay
debts of individ-
uals.

ARTICLE VII. The annuities of the aforesaid tribes and bands shall not be taken to pay the debts of individuals.

The tribes to
preserve friendly
relations, &c.

ARTICLE VIII. The said tribes and bands acknowledge their dependence on the government of the United States, and promise to be friendly with all citizens thereof, and pledge themselves to commit no depredations on the property of such citizens; and should any one or more of them violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the government out of their annuities. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and other Indians to the government of the United States, or its agent, for decision,

to pay for
depredations.

not to make
war, except, &c.

and abide thereby; and if any of the said Indians commit any depredations on any other Indians within the Territory, the same rule shall prevail as is prescribed in this article in cases of depredations against citizens. And the said tribes and bands agree not to shelter or conceal offenders against the laws of the United States, but to deliver them to the authorities for trial.

To surrender offenders.

ARTICLE IX. The above tribes and bands are desirous to exclude from their reservations the use of ardent spirits, and to prevent their people from drinking the same, and therefore it is provided, that any Indian belonging to said tribes, who is guilty of bringing liquor into said reservations, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her, for such time as the President may determine.

Annuities to be withheld from those drinking &c. ardent spirits.

ARTICLE X. The United States further agree to establish at the general agency for the district of Puget Sound, within one year from the ratification hereof, and to support for a period of twenty years, an agricultural and industrial school, to be free to the children of the said tribes and bands in common with those of the other tribes of said district, and to provide the said school with a suitable instructor or instructors, and also to provide a smithy and carpenter's shop, and furnish them with the necessary tools, and to employ a blacksmith, carpenter, and farmer for the term of twenty years, to instruct the Indians in their respective occupations. And the United States further agree to employ a physician to reside at the said central agency, who shall furnish medicine and advice to their sick, and shall vaccinate them; the expenses of the said school, shops, employees, and medical attendance to be defrayed by the United States, and not deducted from their annuities.

The United States to establish an agricultural &c. school for the Indians.

to employ mechanics, &c. a physician, &c.

ARTICLE XI. The said tribes and bands agree to free all slaves now held by them, and not to purchase or acquire others hereafter.

The tribes are to free all slaves and not acquire others.

ARTICLE XII. The said tribes and bands finally agree not to trade at Vancouver's Island or elsewhere out of the dominions of the United States, nor shall foreign Indians be permitted to reside on their reservations without consent of the superintendent or agent.

not to trade out of the United States.

ARTICLE XIII. This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

Foreign Indians not to reside on reservations. When treaty to take effect.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs, and the undersigned chiefs, headmen, and delegates of the aforesaid tribes and bands of Indians, have hereunto set their hands and seals, at Olympia, January 25, 1856, and on the Qui-nai-elt River, July 1, 1855.

Signatures. July 1, 1855. January 25, 1856.

ISAAC I. STEVENS, *Governor and Sup't of Indian Affairs.*

TAH-HO-LAH, <i>Head Chief Qui-mite'l tribe,</i>	his x mark.	[L. S.]
HOW-YAT'L, <i>Head Chief Quil-ley-yute tribe,</i>	his x mark.	[L. S.]
KAL-LAPE, <i>Sub-chief Quil-ley-hutes,</i>	his x mark.	[L. S.]
TAH-AH-HA-WHT'L, <i>Sub-chief Quil-ley-hutes,</i>	his x mark.	[L. S.]
LAY-LE-WHASH-ER,	his x mark.	[L. S.]
E-MAH-LAH-CUP,	his x mark.	[L. S.]
ASH-CHAK-A-WICK,	his x mark.	[L. S.]
AY-A-QUAN,	his x mark.	[L. S.]
YATS-SEE-O-KOP,	his x mark.	[L. S.]
KARTS-SO-PE-AH,	his x mark.	[L. S.]
QUAT-A-DE-TOT'L,	his x mark.	[L. S.]
NOW-AH-ISM,	his x mark.	[L. S.]
CLA-KISH-KA,	his x mark.	[L. S.]
KLER-WAY-SR-HUN,	his x mark.	[L. S.]
QUAR-TER-HEIT'L,	his x mark.	[L. S.]
HAY-NEE-SIOOS,	his x mark.	[L. S.]

HOO-E-YAS'LSEE,	his x mark.	[L. S.]
QUILT-LE-SE-MAH,	his x mark.	[L. S.]
QUA-LATS-KAIM,	his x mark.	[L. S.]
YAH-LE-HUM,	his x mark.	[L. S.]
JE-TAH-LET-SHIN,	his x mark.	[L. S.]
MA-TA-A-HA,	his x mark.	[L. S.]
WAH-KEE-NAH, <i>Sub-chief Qui-nite'l tribe,</i>	his x mark.	[L. S.]
YER-AY-LET'L, <i>Sub-chief,</i>	his x mark.	[L. S.]
SILLEY-MARK'L,	his x mark.	[L. S.]
CHER-LARK-TIN,	his x mark.	[L. S.]
HOW-YAT-'L,	his x mark.	[L. S.]
KNE-SHE-GUARTSH, <i>Sub-chief,</i>	his x mark.	[L. S.]
KLAY-SUMETZ,	his x mark.	[L. S.]
KAPE,	his x mark.	[L. S.]
HAY-ET-LITE-'L, or John,	his x mark.	[L. S.]

Executed in the presence of us; the words "or tracts," in the II. article, and "next," in the IV. article, being interlined prior to execution.

M. T. SIMMONS, *Special Indian Agent.*

H. A. GOLDSBOROUGH, *Commissary, &c.*

B. F. SHAW, *Interpreter.*

JAMES TILTON, *Surveyor-General Washington Territory.*

F. KENNEDY.

J. Y. MILLER.

H. D. COCK.

Consent of
Senate, March 8,
1856.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the eighth day of March, one thousand eight hundred and fifty-nine, advise and consent to the ratification of the same by a resolution in the words and figures following, to wit:—

"IN EXECUTIVE SESSION,

"SENATE OF THE UNITED STATES, March 8, 1859.

"Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of treaty between the United States and the chiefs, headmen, and delegates of the different tribes and bands of the Qui-nai-elt and Quil-leh-ute Indians in Washington Territory, signed 1st day of July, 1855, and 25th day of January, 1856.

"Attest :

"ASBURY DICKINS, *Secretary.*"

Proclamation,
April 11, 1859.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of March the eighth, one thousand eight hundred and fifty-nine, accept, ratify, and confirm the said treaty.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, and have signed the same with my hand.

Done at the city of Washington, this eleventh day of April, in the year of our Lord one thousand eight hundred and fifty-nine, and of the Independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President :

LEWIS CASS, *Secretary of State.*

Treaty between the United States and the Flathead, Kootenay, and Upper Pend d'Oreilles Indians. Concluded at Hell Gate in the Bitter Root Valley, July 16, 1855. Ratified by the Senate, March 8, 1859. Proclaimed by the President of the United States, April 18, 1859.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: July 16, 1855.

WHEREAS a treaty was made and concluded at the treaty ground, at Hell Gate, in the Bitter Root Valley, on the sixteenth day of July, eighteen hundred and fifty-five, between Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, on the part of the United States, and the hereinafter named chiefs, headmen, and delegates of the confederated tribes of the Flathead, Kootenay, and Upper Pend d'Oreilles Indians, on behalf of and acting for said confederated tribes and duly authorized thereto, by them, which treaty is in the words and figures following, to wit:

Articles of agreement and convention made and concluded at the treaty ground at Hell Gate, in the Bitter Root Valley, this sixteenth day of July, in the year one thousand eight hundred and fifty-five, by and between Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, on the part of the United States, and the undersigned chiefs, headmen, and delegates of the confederated tribes of the Flathead, Kootenay, and Upper Pend d'Oreilles Indians, on behalf of and acting for said confederated tribes, and being duly authorized thereto by them. It being understood and agreed that the said confederated tribes do hereby constitute a nation, under the name of the Flathead nation, with Victor, the head chief of the Flathead tribe, as the head chief of the said nation, and that the several chiefs, headmen, and delegates, whose names are signed to this treaty, do hereby, in behalf of their respective tribes, recognise Victor as said head chief. Contracting parties.

ARTICLE I. The said confederated tribes of Indians hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the country occupied or claimed by them, bounded and described as follows, to wit: Cession of lands to the United States.

Commencing on the main ridge of the Rocky Mountains at the forty-ninth (49th) parallel of latitude, thence westwardly on that parallel to the divide between the Flat-bow or Kootenay River and Clarke's Fork; thence southerly and southeasterly along said divide to the one hundred and fifteenth degree of longitude, (115°,) thence in a southwesterly direction to the divide between the sources of the St. Regis Borgia and the Cœur d'Alene Rivers, thence southeasterly and southerly along the main ridge of the Bitter Root Mountains to the divide between the head waters of the Koos-koos-kee River and of the southwestern fork of the Bitter Root River, thence easterly along the divide separating the waters of the several tributaries of the Bitter Root River from the waters flowing into the Salmon and Snake Rivers to the main ridge of the Rocky Mountains, and thence northerly along said main ridge to the place of beginning. Boundaries.

ARTICLE II. There is, however, reserved from the lands above ceded, for the use and occupation of the said confederated tribes, and as a general Indian reservation upon which may be placed other friendly tribes Reservation.

and bands of Indians of the Territory of Washington who may agree to be consolidated with the tribes parties to this treaty, under the common designation of the Flathead nation, with Victor, head chief of the Flathead tribe, as the head chief of the nation, the tract of land included within the following boundaries, to wit:

Boundaries.

Commencing at the source of the main branch of the Jocko River; thence along the divide separating the waters flowing into the Bitter Root River from those flowing into the Jocko to a point on Clarke's Fork between the Camash and Horse prairies; thence northerly to, and along the divide bounding on the west the Flathead River, to a point due west from the point half way in latitude between the northern and southern extremities of the Flathead Lake; thence on a due east course to the divide whence the Crow, the Prune, the So-ni-el-em and the Jocko Rivers take their rise, and thence southerly along said divide to the place of beginning.

Whites not to reside thereon unless, &c.

All which tract shall be set apart, and, so far as necessary, surveyed and marked out for the exclusive use and benefit of said confederated tribes as an Indian reservation. Nor shall any white man, excepting those in the employment of the Indian department, be permitted to reside upon the said reservation without permission of the confederated tribes, and the superintendent and agent. And the said confederated tribes agree to remove to and settle upon the same within one year after the ratification of this treaty. In the meantime it shall be lawful for them to reside upon any ground not in the actual claim and occupation of citizens of the United States, and upon any ground claimed or occupied if with the permission of the owner or claimant.

Indians to be allowed for improvements on lands ceded.

Guaranteeing however the right to all citizens of the United States to enter upon and occupy as settlers any lands not actually occupied and cultivated by said Indians at this time, and not included in the reservation above named. *And provided,* That any substantial improvements heretofore made by any Indian, such as fields enclosed and cultivated and houses erected upon the lands hereby ceded, and which he may be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President of the United States, and payment made therefor in money, or improvements of an equal value be made for said Indian upon the reservation; and no Indian will be required to abandon the improvements aforesaid, now occupied by him, until their value in money or improvements of an equal value shall be furnished him as aforesaid.

Roads may be made through reservation.

ARTICLE III. *And provided,* That if necessary for the public convenience roads may be run through the said reservation; and, on the other hand, the right of way with free access from the same to the nearest public highway is secured to them; as also the right in common with citizens of the United States to travel upon all public highways.

Rights and privileges of Indians.

The exclusive right of taking fish in all the streams running through or bordering said reservation is further secured to said Indians; as also the right of taking fish at all usual and accustomed places, in common with citizens of the Territory, and of erecting temporary buildings for curing; together with the privilege of hunting, gathering roots and berries, and pasturing their horses and cattle upon open and unclaimed land.

Payments by the United States.

ARTICLE IV. In consideration of the above cession, the United States agree to pay to the said confederated tribes of Indians, in addition to the goods and provisions distributed to them at the time of signing this treaty the sum of one hundred and twenty thousand dollars in the following manner — that is to say: For the first year after the ratification hereof, thirty-six thousand dollars, to be expended under the direction of the President in providing for their removal to the reservation, breaking up and fencing farms, building houses for them, and for such other objects as he may deem necessary. For the next four years, six thousand dollars each year; for the next five years, five thousand dollars each year; for

the next five years, four thousand dollars each year; and for the next five years, three thousand dollars each year.

All which said sums of money shall be applied to the use and benefit of the said Indians, under the direction of the President of the United States, who may from time to time determine, at his discretion, upon what beneficial objects to expend the same for them, and the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of the Indians in relation thereto.

ARTICLE V. The United States further agree to establish at suitable points within said reservation, within one year after the ratification hereof, an agricultural and industrial school, erecting the necessary buildings, keeping the same in repair, and providing it with furniture, books, and stationery, to be located at the agency, and to be free to the children of the said tribes, and to employ a suitable instructor or instructors. To furnish one blacksmith shop, to which shall be attached a tin and gun shop; one carpenter's shop; one wagon and ploughmaker's shop; and to keep the same in repair, and furnished with the necessary tools. To employ two farmers, one blacksmith, one tinner, one gunsmith, one carpenter, one wagon and plough maker, for the instruction of the Indians in trades, and to assist them in the same. To erect one saw-mill and one flouring-mill, keeping the same in repair and furnished with the necessary tools and fixtures, and to employ two millers. To erect a hospital, keeping the same in repair, and provided with the necessary medicines and furniture, and to employ a physician; and to erect, keep in repair, and provide with the necessary furniture the buildings required for the accommodation of the said employees. The said buildings and establishments to be maintained and kept in repair as aforesaid, and the employees to be kept in service for the period of twenty years.

And in view of the fact that the head chiefs of the said confederated tribes of Indians are expected and will be called upon to perform many services of a public character, occupying much of their time, the United States further agree to pay to each of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes five hundred dollars per year, for the term of twenty years after the ratification hereof, as a salary for such persons as the said confederated tribes may select to be their head chiefs, and to build for them at suitable points on the reservation a comfortable house, and properly furnish the same, and to plough and fence for each of them ten acres of land. The salary to be paid to, and the said houses to be occupied by, such head chiefs so long as they may be elected to that position by their tribes, and no longer.

And all the expenditures and expenses contemplated in this article of this treaty shall be defrayed by the United States, and shall not be deducted from the annuities agreed to be paid to said tribes. Nor shall the cost of transporting the goods for the annuity payments be a charge upon the annuities, but shall be defrayed by the United States.

ARTICLE VI. The President may from time to time, at his discretion, cause the whole, or such portion of such reservation as he may think proper, to be surveyed into lots, and assign the same to such individuals or families of the said confederated tribes as are willing to avail themselves of the privilege, and will locate on the same as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable.

ARTICLE VII. The annuities of the aforesaid confederated tribes of Indians shall not be taken to pay the debts of individuals.

ARTICLE VIII. The aforesaid confederated tribes of Indians acknowledge their dependence upon the government of the United States, and promise to be friendly with all citizens thereof, and pledge themselves to commit no depredations upon the property of such citizens. And should

How to be applied.

United States to establish schools.

mechanic's shops.

saw and grist mills.

a hospital.

to pay salary to head chiefs.

Certain expenses to be borne by the United States and not charged on annuities.

Lots may be assigned to individuals.

Vol. x. p. 1044.

Annuities not to pay individual debts of Indians.

Indians to preserve friendly relations.

Indians to pay for depredations.

not to make war except, &c

to surrender offenders.

Annuities to be reserved from those who drink, &c., ardent spirits.

Guaranty of reservation against certain claims of Hudson Bay Company.

Vol. ix. p. 870.

Bitter Root Valley to be surveyed, and portions may be set apart for reservation.

meanwhile not to be opened for settlement.

When treaty to take effect.

Signatures, July 16, 1855.

any one or more of them violate this pledge, and the fact be satisfactorily proved before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the government out of the annuities. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and other Indians to the government of the United States, or its agent, for decision, and abide thereby. And if any of the said Indians commit any depredations on any other Indians within the jurisdiction of the United States, the same rule shall prevail as that prescribed in this article, in case of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

ARTICLE IX. The said confederated tribes desire to exclude from their reservation the use of ardent spirits, and to prevent their people from drinking the same; and therefore it is provided that any Indian belonging to said confederated tribes of Indians who is guilty of bringing liquor into said reservation, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

ARTICLE X. The United States further agree to guaranty the exclusive use of the reservation provided for in this treaty, as against any claims which may be urged by the Hudson Bay Company under the provisions of the treaty between the United States and Great Britain of the fifteenth of June, eighteen hundred and forty-six, in consequence of the occupation of a trading post on the Pru-in River by the servants of that company.

ARTICLE XI. It is, moreover, provided that the Bitter Root Valley, above the Loo-lo fork, shall be carefully surveyed and examined, and if it shall prove, in the judgment of the President, to be better adapted to the wants of the Flathead tribe than the general reservation provided for in this treaty, then such portions of it as may be necessary shall be set apart as a separate reservation for the said tribe. No portion of the Bitter Root Valley, above the Loo-lo fork, shall be opened to settlement until such examination is had and the decision of the President made known.

ARTICLE XII. This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, and the undersigned head chiefs, chiefs and principal men of the Flathead, Kootenay, and Upper Pend d'Oreilles tribes of Indians, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

ISAAC I. STEVENS, [L. S.]
Governor and Superintendent Indian Affairs W. T.

VICTOR, Head chief of the Flathead Nation, his x mark. [L. S.]
ALEXANDER, Chief of the Upper Pend
d Oreilles, his x mark. [L. S.]
MICHELLE, Chief of the Kootenays, his x mark. [L. S.]
AMBROSE, his x mark. [L. S.]
PAH-SOH, his x mark. [L. S.]
BEAR TRACK, his x mark. [L. S.]
ADOLPHE, his x mark. [L. S.]
THUNDER, his x mark. [L. S.]
BIG CANOE, his x mark. [L. S.]
KOOTEL CHAH, his x mark. [L. S.]
PAUL, his x mark. [L. S.]

ANDREW,
MICHELLE,
BATTISTE,

his x mark. [L. S.]
his x mark. [L. S.]
his x mark. [L. S.]

Kootenays.

GUN FLINT,
LITTLE MICHELLE,
PAUL SEE,
MOSES,

his x mark. [L. S.]
his x mark. [L. S.]
his x mark. [L. S.]
his x mark. [L. S.]

JAMES DOTY, *Secretary.*
R. H. LANSDALE, *Indian Agent.*
W. H. TAPPAN, *Sub Indian Agent.*
HENRY R. CROSIRE,
GUSTAVUS SOHON, *Flathead Interpreter.*
A. J. HOECKEN, *Sp. Mis.*
WILLIAM CRAIG.

And, whereas, the said treaty having been submitted to the Senate of the United States for their constitutional action thereon, the Senate did, on the eighth day of March, eighteen hundred and fifty-nine, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:

Consent of
Senate, March 8,
1859.

“IN EXECUTIVE SESSION,
“SENATE OF THE UNITED STATES, March 8, 1859.

“Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of treaty between the United States and Chiefs, Headmen and Delegates of the confederate tribes of the Flathead, Kootenay, and Upper Pend d'Oreilles Indians, who are constituted a nation under the name of the Flathead Nation, signed 16th day of July, 1855.

“Attest: “ASBURY DICKINS, *Secretary.*”

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the eighth of March, one thousand eight hundred and fifty-nine, accept, ratify, and confirm the said treaty.

Proclamation,
April 18, 1859.

In testimony whereof, I have hereunto caused the seal of the United States to be affixed, and have signed the same with my hand.

Done at the city of Washington, this eighteenth day of April, in the year of our Lord one thousand eight hundred and fifty-
[SEAL.] nine, and of the Independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President:
LEWIS CASS, *Secretary of State.*

Treaty between the United States of America and the Molel Indians. Concluded at Dayton, Oregon, December 21, 1855. Ratified by the Senate, March 8, 1859. Proclaimed by the President of the United States, April 27, 1859.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Dec. 21, 1855.

WHEREAS a treaty was made and concluded at Dayton, in Oregon, on the twenty-first day of December, one thousand eight hundred and fifty-five, between Joel Palmer, superintendent of Indian affairs for the Territory of Oregon, on the part of the United States, and the hereinafter-named chiefs and headmen of the Mo-lal-la-las, or Molel tribe of Indians, on behalf of and duly authorized by the said tribe, which treaty is in the words and figures following, to wit:

Preamble.

Articles of convention and agreement entered into this 21st day of December, 1855, between Joel Palmer, superintendent of Indian affairs, acting for and in behalf of the United States, and the chiefs and headmen of the Mo-lal-la-las, or Molel tribe of Indians, they being authorized by their respective bands in council assembled.

Contracting parties.

ARTICLE I. The above named tribe of Indians hereby cede to the United States all their right, title, interest and claim to all that part of Oregon Territory situated and bounded as hereinafter described, the same being claimed by them. To wit: Beginning at Scott's Peak, being the northeastern termination of the purchase made of the Umpaquah, and Calapooias of Umpaquah Valley on the 29th day of November, 1854; thence running southerly on the eastern boundary line of that purchase and the purchase of the Cow Creeks, on the 19th day of September, 1853, and the tract purchased of the Scotens, Chestas and Grave Creeks, on the nineteenth [eighteenth] day of November, 1854, to the boundary of the Rogue River purchase made on the tenth day of September, 1853; thence along the northern boundary of that purchase to the summit of the Cascade Mountains; thence northerly along the summit of said mountains to a point due east of Scott's Peak; thence west to the place of beginning.

Cession of lands to the United States.

Boundaries.

Vol. x. p. 1125.

Vol. x. p. 1027.

Vol. x. p. 1122.

Vol. x. p. 1018.

ARTICLE II. In consideration of the cession and relinquishment herein made, the United States agree to make the following provisions for said Indians and pay the sums of money as follows:

Payments, &c. by the United States.

1st. To secure to the members of said tribe all the rights and privileges guaranteed by treaty to the Umpaquah and Calapooias, of the Umpaquah Valley, jointly with said tribes, they hereby agreeing to confederate with those bands.

Privileges of former treaty secured.

2nd. To erect and keep in repair and furnish suitable persons to attend the same for the term of ten years, the benefits of which to be shared alike by all the bands confederated, one flouring-mill and one saw-mill.

Flouring and saw mill.

3d. To furnish iron, steel, and other materials for supplying the smith's shop and tin shop stipulated in the treaty of 29th November, 1854, and pay for the services of the necessary mechanics for that service for five years in addition to the time specified by that treaty.

Smith's and tin shop, &c. Vol. x. p. 1126.

4th. To establish a manual labor school, employ and pay teachers, furnish all necessary materials and subsistence for pupils, of sufficient

Manual labor school.

capacity to accommodate all the children belonging to said confederate bands, of suitable age and condition to attend said school.

Carpenter and joiner.

5th. To employ and pay for the services of a carpenter and joiner for the term of ten years to aid in erecting buildings and making furniture for said Indians, and to furnish tools for use in said service.

Additional farmer.

6th. To employ and pay for the services of an additional farmer for the term of five years.

Indians to remove to reservation.

ARTICLE III. In consequence of the existence of hostilities between the whites and a portion of the Indian tribes in southern Oregon and northern California, and the proximity of the Umpaquah reservation to the mining district, and the consequent fluctuating and transient population, and the frequent commission by whites and Indians of petty offences, calculated to disturb the peace and harmony of the settlement, it is hereby agreed, the Umpaquahs and Calapooias agreeing, that the bands thus confederated shall immediately remove to a tract of land selected on the headwaters of the Yamhill River adjoining the coast reservation, thereon to remain until the proper improvements are made upon that reservation, for the accommodation of said confederate bands, in accordance with the provisions of this and the treaty of 29th November, 1854, and when so made, to remove to said coast reservation, or such other point as may, by direction of the President of the United States, be designated for the permanent residence of said Indians.

Vol. x. p. 1125.

Expense of removal to be borne by the United States.

ARTICLE IV. For the purpose of carrying out in good faith the objects expressed in the preceding article, it is hereby agreed on the part of the United States, that the entire expense attending the removal of the bands named, including transportation and subsistence, and the erection of temporary buildings at the encampment designated, as well as medical attendance on the sick, shall be paid by the United States.

Rations to be furnished the Indians.

ARTICLE V. It is further agreed that rations, according to the army regulations, shall be furnished the members of the said confederated bands, and distributed to the heads of families, from the time of their arrival at the encampment on the headwaters of Yamhill River until six months after their arrival at the point selected as their permanent residence.

Appropriation to extinguish title, &c. of white settlers to lands in Grand Round Valley.

ARTICLE VI. For the purpose of insuring the means of subsistence for said Indians, the United States engage to appropriate the sum of twelve thousand dollars for the extinguishment of title and the payment of improvements made thereon by white settlers to lands in the Grand Round Valley, the point of encampment referred to, to be used as wheat farms, or other purposes, for the benefit of said Indians, and for the erection of buildings upon the reservation, opening farms, purchasing of teams, tools and stock; the expenditure of which amounts, and the direction of all the provisions of this convention, shall be in accordance with the spirit and meaning of the treaty of 29th November, 1854, with the Umpaquah and Calapooia tribes aforesaid.

Signature.

In witness whereof, we, the several parties, hereto set our hands and seals, the day and date before written.

JOEL PALMER, [L. s.]
Superintendent Indian Affairs.

STEENCOGGY, his x mark. [L. s.]
LATTCHIE, his x mark. [L. s.]
DUGINGS, his x mark. [L. s.]
COUNISNASE, his x mark. [L. s.]

Done in presence of the undersigned witnesses—

C. M. WALKER,
T. R. MAGRUDER,
JOHN FLETT, *Interpreter.*

We the chiefs and headmen of the Umpaquah and Calapooia tribes, treated with in the Umpaquah Valley, on the 29th day of November, 1854, referred to in the foregoing treaty, to the provisions of this treaty, this day in convention, accede to all the terms therein expressed.

In witness whereof, we do severally hereto set our names and seals, the day and date written in the foregoing treaty.

LOUIS LA PE CINQUE,	his x mark.	[L. S.]
PETER,	his x mark.	[L. S.]
TOM,	his x mark.	[L. S.]
BILLY,	his x mark.	[L. S.]
NESSICK,	his x mark.	[L. S.]
GEORGE,	his x mark.	[L. S.]
BOGUS,	his x mark.	[L. S.]
CARS,	his x mark.	[L. S.]

Done in the presence of the undersigned witnesses —

C. M. WALKER,
T. R. MAGRUDER,
JOHN FLETT, *Interpreter.*

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the eighth day of March, one thousand eight hundred and fifty-nine, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:—

Ratification,
March 8, 1859.

“IN EXECUTIVE SESSION,

“SENATE OF THE UNITED STATES, March 8, 1859.

“*Resolved*, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of treaty between the United States and the Chiefs and Headmen of the Mo-lal-la-las or Molel tribe of Indians, signed 21st December, 1855.

“Attest: “ASBURY DICKINS, *Secretary.*”

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the eighth of March, eighteen hundred and fifty-nine, accept, ratify, and confirm the said treaty.

Proclamation,
April 27, 1859.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, and have signed the same with my hand.

Done at the city of Washington, this twenty-seventh day of April, in the year of our Lord one thousand eight hundred and fifty-nine, and of the independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President:

LEWIS CASS, *Secretary of State.*

TREATIES.

Claims Convention with New Granada. Concluded at Washington, September 10, 1857. Ratifications exchanged at Washington, November 5, 1860. Proclaimed by the President of the United States, November 8, 1860.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: Sept. 10, 1857.
Ante, pp. 145, 615.

A PROCLAMATION.

WHEREAS a convention between the United States of America and the Republic of New Granada was signed in the city of Washington on the tenth day of September, in the year of our Lord one thousand eight hundred and fifty-seven, which convention, as amended by the high contracting parties, is, word for word, as follows: Preamble.

<p>The United States of America and the Republic of New Granada, desiring to adjust the claims of citizens of said States against New Granada and to cement the good understanding which happily subsists between the two Republics, have, for that purpose, appointed and conferred full powers, respectively, to wit: The President of the United States upon Lewis Cass, Secretary of State of the United States, and the President of New Granada upon General Pedro A. Herran, Envoy Extraordinary and Minister Plenipotentiary of that republic in the United States, who, after exchanging their full powers, which were found in good and proper form, have agreed to the following articles:</p>	<p>Los Estados Unidos de América y la República de la Nueva Granada, deseando arreglar las reclamaciones de ciudadanos de dichos Estados contra la Nueva Granada y estrechar la buena inteligencia que felizmente subsiste entre las dos Repúblicas, han nombrado con tal objeto y conferido plenos poderes, respectivamente: El Presidente de los Estados Unidos á Lewis Cass, Secretario de Estado de los Estados Unidos, y el Presidente de la Nueva Granada al General Pedro A. Herran, Enviado Extraordinario y Ministro Plenipotenciario de la República en los Estados Unidos, quienes despues de haberse cambiado sus plenos poderes y de hallarlos en buena y debida forma, han conenido en los artículos siguientes:</p>
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ARTICLE I.

All claims on the part of corporations, companies, or individuals, citizens of the United States, upon the government of New Granada, which shall have been presented prior to the first day of September, one thousand eight hundred and fifty-nine, either to the Department of State at Washington, or to the minister of the United States at Bogota, and especially those for

ARTICULO 1º.

Todas las reclamaciones de parte de ciudadanos de los Estados Unidos, corporaciones, compañías, ó particulares, contra el gobierno de la Nueva Granada, que habrán sido presentadas ántes del primer día de Setiembre de mil ochocientos cincuenta y nueve, al Departamento de Estado en Washington ó al Ministro de los Estados Unidos en Bogotá, especialmente las provenientes de

Certain claims to be referred to commissioners.

damages which were caused by the riot at Panama on the fifteenth of April, eighteen hundred and fifty-six, for which the said government of New Granada acknowledges its liability, arising out of its privilege and obligation to preserve peace and good order along the transit route, shall be referred to a board of commissioners, consisting of two members, one of whom shall be appointed by the government of the United States and one by the government of New Granada. In case of the death, absence, or incapacity of either commissioner, or in the event of either commissioner omitting or ceasing to act, the government of the United States or that of New Granada, respectively, or the minister of the latter in the United States, acting by its direction, shall forthwith proceed to fill the vacancy thus occasioned.

Appointment of commissioners.

Provision for vacancies.

Meeting of commissioners.

Oath.

Umpire.

The commissioners so named shall meet in the city of Washington within ninety days from the exchange of the ratifications of this convention, and before proceeding to business shall make and subscribe a solemn oath that they will carefully examine and impartially decide, according to justice and equity, upon all the claims laid before them, under the provisions of this convention, by the government of the United States. And such oath shall be entered on the record of their proceedings.

The commissioners shall then proceed to name an arbitrator or umpire to decide upon any case or cases on which they may differ in opinion. And if they cannot agree in the selection, the umpire shall be appointed by the minister of Prussia to the United States, whom the two high contracting parties shall invite to make such appointment, and whose selection shall be conclusive on both parties.

ARTICLE II.

Determination of claims.

The arbitrator being appointed, the commissioners shall proceed to examine and determine the claims which may be presented to them, under the provisions of this conven-

daños causados en el motin que ocurrió en Panamá el 15 de Abril de 1856, por los cuales dicho gobierno de la Nueva Granada reconoce su responsabilidad, derivada del atributo y la obligacion que tiene de conservar paz y buen orden en aquella vía interoceánica, serán sometidas á una comision compuesta de dos individuos, uno de los cuales será nombrado por el gobierno de los Estados Unidos, y el otro por el gobierno de la Nueva Granada. En caso de muerte, ausencia, ó incapacidad de uno de los comisionados, ó de que por cualquiera otro motivo deje ó cese de obrar, el gobierno de los Estados Unidos ó el de la Nueva Granada, respectivamente, ó el ministro del último en los Estados Unidos bajo la direccion de su gobierno, procederá inmediatamente á llenar la vacante ocasionada.

Los comisionados, nombrados segun se ha expresado, se reunirán en la ciudad de Washington dentro del término de noventa dias contados desde el cange de las ratificaciones de esta convencion, y ántes de proceder á sus trabajos harán y suscribirán un solemne juramento de examinar cuidadosamente y fallar con imparcialidad, y en equidad y justicia, sobre todas las reclamaciones que les sean presentadas, con arreglo á las disposiciones de esta convencion, por el gobierno de los Estados Unidos; y dicho juramento se hará constar en el registro de sus trabajos.

Los comisionados procederán en seguida á nombrar un árbitro para que decida en el caso ó en los casos en que no puedan ponerse de acuerdo; y si no se convienen en esta eleccion, dicho árbitro será nombrado por el ministro de Prusia en los Estados Unidos, al cual las dos altas partes contratantes invitarán á hacer este nombramiento, y cuya eleccion será para ambas conclusiva.

ARTICULO 2º.

Nombrado el árbitro, los comisionados procederán á examinar y calificar las reclamaciones que conforme á las disposiciones de esta convencion les sean presentadas por

tion, by the Government of the United States, together with the evidence submitted in support of them, and shall hear, if required, one person in behalf of each government on every separate claim. Each government shall furnish, upon request of either of the commissioners, such papers in its possession as the commissioners may deem important to the just determination of any claims presented to them. In cases where they agree to award an indemnity, they shall determine the amount to be paid, having due regard, in claims which have grown out of the riot at Panama of April 15, 1856, to damages suffered through death, wounds, robberies, or destruction of property. In cases where they cannot agree the subjects of difference shall be referred to the umpire, before whom each of the commissioners may be heard, and whose decision shall be final.

ARTICLE III.

The commissioners shall issue certificates of the sums to be paid, by virtue of their awards, to the claimants, and the aggregate amount of said sums shall be paid to the Government of the United States, at Washington, in equal semi-annual payments, the first payment to be made six months from the termination of the commission, and the whole payment to be completed within eight years from the same date; and each of said sums shall bear interest (also payable semi-annually) at the rate of six per cent. per annum from the day on which the awards, respectively, shall have been decreed. To meet these payments the government of New Granada hereby specially appropriates one half of the compensation which may accrue to it from the Panama Railroad Company, in lieu of postages, by virtue of the thirtieth article of the contract between the Republic of New Granada and said company, made April 15, 1850, and approved June 4, 1850, and

el gobierno de los Estados Unidos, juntamente con las pruebas que se les pasen en apoyo de dichas reclamaciones, y oirán, si fuere necesario, á una persona de parte de cada gobierno en el exámen de cada reclamacion. Cada gobierno suministrará, á peticion de cualquiera de los comisionados, los documentos que esten en su poder y que los comisionados crean importantes para la justa calificación de alguna ó algunas de las reclamaciones presentadas. En los casos en que la comision determine conceder indemnizacion, fijará la cantidad que se haya de pagar, tomando en consideracion, respecto de las reclamaciones provenientes del motin de Panamá del 15 de Abril de 1856, los daños sufridos por muertes, heridas robos ó destruccion de propiedades. En los casos en que los dos comisionados no puedan ponerse de acuerdo, los puntos de discordancia serán sometidos al árbitro, ante el cual cada uno de ellos podrá ser oido, y cuya decision será final.

ARTICULO 3°.

Los comisionados expedirán certificados de las sumas que deban pagarse, en virtud de sus fallos, á los reclamantes, y el total monto de dichas sumas será pagado al gobierno de los Estados Unidos, en Washington, en cantidades iguales semi-anales, debiendo hacerse el primer pago á los seis meses del término de la comision, y completarse todo el pago dentro de ocho años contados desde la misma fecha. Cada una de las cantidades decretadas ganará interes de seis por ciento (pagadero tambien por semestres) desde el dia en que se pronuncie el fallo respectivo. Para hacer estos pagos, el gobierno de la Nueva Granada destina especialmente la mitad de la cantidad que debe recibir de la Compañía del Ferrocarril de Panamá por cuenta de correos interoceánicos, en virtud del artículo trigésimo del contrato entre la República de la Nueva Granada y dicha compañía, celebrado en 15 de Abril de 1850 y aprobado el 4 de Junio del mismo año, y la mitad de

Commissioners to give certificates to claimants of sums due under their award.

New Granada to pay the aggregate to the United States.

Appropriation to meet such payments.

also one half of the dividends which it may receive from the net profits of said road, as provided in the fifty-fifth article of the same contract; but if these funds should prove insufficient to make the payments as above stipulated, New Granada will provide other means for that purpose.

ARTICLE IV.

Commission to conclude its labors in nine months.

Secretary.
Records.

The commission herein provided shall terminate its labors in nine months from and including the day of its organization; shall keep an accurate record of its proceedings, and may appoint a secretary to assist in the transaction of its business.

ARTICLE V.

Decision of commission to be final.

The proceedings of this commission shall be final and conclusive with respect to all the claims before it, and its awards shall be a full discharge to New Granada of all claims of citizens of the United States against that republic which may have accrued prior to the signature of this convention.

ARTICLE VI.

Pay of commissioner and umpire.

Each government shall pay its own commissioner, but the umpire, as well as the incidental expenses of the commission, shall be paid, one half by the United States and the other half by New Granada.

ARTICLE VII.

Exchange of ratifications.

The present convention shall be ratified, and the ratifications exchanged in Washington.

In faith whereof, we, the respective plenipotentiaries, have signed this convention, and have hereunto affixed our seals.

Signature,
Sept. 10, 1857.

Done at Washington, this tenth day of September, in the year of our Lord one thousand eight hundred and fifty-seven.

LEW. CASS. [SEAL.]
P. A. HERRAN. [SEAL.]

los dividendos que le han de corresponder de las utilidades netas de dicho camino, con arreglo á lo dispuesto en el artículo quincuagésimo quinto del mismo contrato; pero si estos fondos resultaren insuficientes para hacer los pagos según queda estipulado, la Nueva Granada proveerá otros medios para aquel objeto.

ARTICULO 4º.

La comision creada por esta convencion terminará sus funciones á los nueve meses contados desde el dia de su instalacion, inclusive, llevará un registro exacto de sus trabajos, y podrá nombrar un secretario que le ayude en el curso de ellos.

ARTICULO 5º.

Los trabajos de esta comision serán finales y conclusivos respecto de todas las reclamaciones que le sean presentadas, y sus fallos serán un completo descargo para la Nueva Granada por todas las reclamaciones de ciudadanos de los Estados Unidos contra aquella república que hayan podido tener origen ántes de la fecha de esta convencion.

ARTICULO 6º.

Cada gobierno costeará su respectivo comisionado; pero el árbitro y los gastos accidentales de la comision serán pagados por mitad por ambas repúblicas.

ARTICULO 7º.

La presente convencion será ratificada y las ratificaciones serán cangeadas en Washington.

En fé de lo cual nosotros los respectivos plenipotenciarios hemos firmado esta convencion, y sellado con nuestros sellos particulares.

Dado en Washington el dia diez de Setiembre del año de nuestro Señor mil ochocientos cincuenta y siete.

P. A. HERRAN. [SEAL.]
LEW. CASS. [SEAL.]

And whereas the said convention, as amended, has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington on the fifth instant, by Lewis Cass, Secretary of State of the United States, and Señor Rafael Pombo, Chargé d'Affaires *ad interim* of the Granadian Confederacy, on the part of their respective governments. Ratifications
exchanged.

Now, therefore, be it known, that I, JAMES BUCHANAN, President of the United States of America, have caused the said convention to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof. Proclamation,
Nov. 8, 1860.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this eighth day of November, in the year of our Lord one thousand eight hundred and sixty, [L. s.] and of the Independence of the United States of America the eighty-fifth.

JAMES BUCHANAN.

By the President:

LEWIS CASS, *Secretary of State.*

Treaty between the United States and the Tonawanda Band of Seneca Indians, Concluded at the meeting-house on the Tonawanda Reservation, November 5, 1857. Supplementary Articles, Concluded at the same time and place. Ratified by the Senate, June 4, 1858. Proclaimed by the President of the United States, March 31, 1859.

See Vol. xi. p. 735, note.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING : Nov. 5, 1857.

WHEREAS, a treaty was made and concluded at the meeting-house, on the Tonawanda reservation, in the county of Genesee, and State of New York, on the fifth day of November, one thousand eight hundred and fifty-seven, by Charles E. Mix, as commissioner on behalf of the United States, and the following persons, viz. : Jabez Ground, Jesse Spring, Isaac Shanks, George Sky, and Ely S. Parker, duly authorized thereunto by the Tonawanda band of Seneca Indians, which treaty is in the following words, to wit :

Preamble.

Articles of agreement and convention made this fifth day of November, in the year one thousand eight hundred and fifty-seven, at the meeting-house on the Tonawanda reservation, in the county of Genesee and State of New York, between Charles E. Mix, commissioner on behalf of the United States, and the following persons, duly authorized thereunto by the Tonawanda band of Seneca Indians, viz. : Jabez Ground, Jesse Spring, Isaac Shanks, George Sky, and Ely S. Parker.

Contracting parties.

Whereas a certain treaty was heretofore made between the Six Nations of New York Indians and the United States on the 15th day of January, 1838, and another between the Seneca nation of Indians and the United States on the 20th day of May, 1842, by which, among other things, the Seneca nation of Indians granted and conveyed to Thomas Ludlow Ogden and Joseph Fellows the two certain Indian reservations in the State of New York known as the Buffalo Creek and the Tonawanda reservations, to be surrendered to the said Ogden and Fellows, on the performance of certain conditions precedent defined in said treaties ; and

Former Treaties.
Vol. vii. pp. 550, 557.
Vol. vii. p. 586.

Whereas in and by the said treaties there were surrendered and relinquished to the United States 500,000 acres of land in the then Territory of Wisconsin ; and

Terms of said Treaties.

Whereas the United States, in and by said treaties, agreed to set apart for said Indians certain lands in the Indian territory immediately west of Missouri, and to grant the same to them, to be held and enjoyed in fee-simple, the quantity of said lands being computed to afford 320 acres to each soul of said Indians, and did agree that any individual, or any number of said Indians, might remove to said territory, and thereupon be entitled to hold and enjoy said lands, and all the benefits of said treaties, according to numbers, respectively ; and

Whereas the United States did further agree to pay the sum of \$400,000 for the removal of the Indians of New York to the said territory, and for their support and assistance during the first year of their residence in said territory ; and

Whereas the said Ogden and Fellows did agree to pay to the said

Seneca nation of Indians, as the consideration of the surrender and relinquishment of the said two reservations, known as the Buffalo Creek and Tonawanda reservations, certain sums of money, one part of which was to be paid to the individual Indians residing upon said reservations, for the improvements held and owned by them in severalty, the amount of which "improvement money," heretofore apportioned to those residing upon the Tonawanda reservation, being \$15,018.³⁰/₁₀₀, which money has been paid into, and still remains in the treasury of the United States; and

Whereas, for divers reasons and differences, the said treaties remain unexecuted as to the said Tonawanda reservation, and the band of Senecas residing thereon; and

Whereas it is ascertained, at the date of these articles, that the Seneca Indians, composing the Tonawanda band and residing upon the Tonawanda reservation, amount to 650 souls in number; and

Whereas the United States are willing to exercise the liberal policy which has heretofore been exercised in regard to the Senecas, and for the purpose of relieving the Tonawandas of the difficulties and troubles under which they labor,

These articles are entered into:

Certain claims under former treaties relinquished.

ARTICLE I. The said persons, authorized as in the caption hereof stated, hereby surrender and relinquish to the United States all claims severally and in common as a band of Indians, and as a part of the Seneca nation, to the lands west of the State of Missouri, and all right and claim to be removed thither, and for support and assistance after such removal, and all other claims against the United States under the aforesaid treaties of 1838 and 1842, except, however, such moneys as they may be entitled to under said treaties, paid or payable by the said Ogden and Fellows.

Pay for such surrender.

ARTICLE II. In consideration of which aforesaid surrender and relinquishment, the United States agree to pay and invest, in the manner hereinafter specified, the sum of \$256,000 for the said Tonawanda band of Indians.

Tonawandas may purchase reservation. United States will pay therefor not over \$20 an acre.

ARTICLE III. It is hereby agreed that the Tonawanda band may purchase of the said Ogden and Fellows, of the survivor of them, or of their heirs or assigns, the entire Tonawanda reservation, or such portions thereof as they may be willing to sell and said band may be willing to purchase; and the United States undertake and agree to pay for the same out of the said sum of \$256,000, upon the express condition that the rate of purchase shall not exceed, on an average, \$20 per acre.

Post, p. 66.

Deed to run to Secretary of the Interior in trust.

The land so purchased shall be taken by deed of conveyance to the Secretary of the Interior of the United States and his successors in office, in fee, to be held by him in trust for the said Tonawanda band of Indians and their exclusive use, occupation and enjoyment, until the legislature of the State of New York shall pass an act designating some persons, or public officer of that State, to take and hold said land upon a similar trust for said Indians; whereupon they shall be granted by the said Secretary to such persons or public officer.

Unimproved lands surrendered.

ARTICLE IV. And the said Tonawanda band of Indians hereby agree to surrender, relinquish, and give up to the said Ogden and Fellows, the survivor of them, or their assigns—provided the whole reservation shall not be purchased—the unimproved lands which they shall not purchase, as aforesaid, within thirty days after this treaty shall be proclaimed by the President of the United States, and the improved lands which they shall not purchase, as aforesaid, on the 1st day of June, 1859.

Tonawandas may appoint one or more attorneys.

ARTICLE V. For the purpose of contracting for and making purchase of the lands contemplated herein, a majority of the chiefs and headmen of said Tonawanda band, in council assembled, may appoint one or more attorneys with adequate powers, which appointment must be approved by the Secretary of the Interior before such attorney or attorneys can have power to act in the premises.

ARTICLE VI. Whenever a quantity of said lands, amounting to 6,500 acres, at the least, upon the terms hereinbefore provided, may be purchased, written notice, executed by the chiefs and headmen in council, and acknowledged before a justice of the supreme court of New York, or judge of the superior court of the city of Buffalo, shall be given to the Secretary of the Interior, whereupon the portion of said sum of \$256,000, not expended in the purchase of lands, as aforesaid, shall be invested by the said Secretary of the Interior in stocks of the United States, or in stocks of some of the States, at his discretion; and the increase arising from such investment shall be paid to the said Tonawanda Indians, at the time and in the manner that the annuities are paid which said Indians are now entitled to receive from the United States.

Part of purchase money to be invested in stocks.

ARTICLE VII. It is hereby agreed that the sum of \$15,018.³⁰/₁₀₀ "improvement money," heretofore apportioned to the Indians upon the Tonawanda reservation, shall be again apportioned by an agent, to be appointed by the chiefs and headmen in council assembled, to be approved by the Secretary of the Interior, which agent shall make a report of such apportionment to the said Secretary of the Interior, and if he concur therein, the shares so ascertained shall be paid to the individual Indians entitled thereto, who shall surrender and relinquish to the said Ogden and Fellows, or the survivor of them, or their assigns, their improvements, and any balance remaining shall be paid to the chiefs and headmen of the band, to be disbursed by them in payment of the debts, or for the use of the band. The services of the agent, to be thus appointed, and all other expenses attending the execution of these articles, are to be paid by the United States out of any moneys coming to the Tonawandas.

"Improvement money" to be apportioned anew.

In testimony whereof the said Charles E. Mix, commissioner, as aforesaid, and the undersigned persons, representing the Tonawanda band of Seneca Indians, have hereunto set their hands and seals the day and year first above written.

Signatures, Nov. 5, 1857.

CHARLES E. MIX, *Commissioner.* [L. s.]

ISAAC x SHANKS,	[L. s.]	JESSE x SPRING,	[L. s.]
GEORGE x SKY,	[L. s.]	ELY S. PARKER.	[L. s.]
JABEZ x GROUND,	[L. s.]		

The foregoing instrument was, on the day of the date thereof, executed in our presence, and we have hereunto at the same time affixed our names as subscribing witnesses.

JOHN H. MARTINDALE,
 FREDERICK FOLLETT,
 WILLIAM G. BRYAN,
 C. B. RICH,
 LEANDER MIX,
 HENRY BITTINGER,
 NICHOLSON H. PARKER, *U. S. Interpreter.*

Also, the following chiefs and headmen heartily concur in the foregoing articles in behalf of themselves and their people:—

JESSE x SPRING,	GEORGE x SKY,
WM. x PARKER,	SNOW x COOPER,
JABEZ x GROUND,	ISAAC x DOCTOR,
JOHN x WILSON,	ISAAC x SHANKS,
JOHN x BIGFIRE,	WILLIAM x MOSES,
THOMSON x BLINKEY,	DAVID x PRINTUP,
JAMES x MITTEN,	BENJ. x JONAS,
JOHN x JOSHUA,	ADDISON x CHARLES,
JAMES x WILLIAMS,	JOHN x HATCH,

Headmen.

JOHN x SMITH,
 SMALL x PETER,
 JOHN x BEAVER,
 JOHN x FARMER,
 TOMMY x WHITE,
 JOHN x GRIFFIN,
 GEO. x MOSES,
 HENRY x MOSES,
 SAML. x BLUE SKY,
 JAMES x SCROGGS,
 MONROE x JONAS,
 WM. x JOHNSON,
 JACKSON x GROUND,
 HARRISON x SCROGG,

WM. x ALICK,
 WM. x STEWART,
 ANDREW x BLACKCHIEF,
 JOHN x INFANT,
 WM. x TAYLOR,
 JAMES x BILLY,
 DANL. x PETER,
 JOHN x HILL,
 JOHN x JONES,
 JOHN x SHANKS,
 LEVI x PARKER,
 JOHN x JEMISON,
 CHAUNCEY x ABRAM.

Signed in open council, in presence of,—

FREDERICK FOLLETT,
 NICHOLSON H. PARKER, *U. S. Interpreter.*

Supplemental
 articles,

Nov. 5, 1857.

And whereas certain supplemental articles of agreement and convention were also concluded at the meeting-house, on the Tonawanda reservation, in the county of Genesee and State of New York, on the fifth day of November, one thousand eight hundred and fifty-seven, between Charles E. Mix, commissioner on behalf of the United States, and the following persons duly authorized thereunto by the Tonawanda band of Seneca Indians, viz.: Jabez Ground, Jesse Spring, Isaac Shanks, George Sky, and Ely S. Parker—which supplemental articles are in the words and figures following, to wit:

Supplemental articles of agreement and convention made this fifth day of November, in the year one thousand eight hundred and fifty-seven, at the meeting-house on the Tonawanda reservation, in the county of Genesee, State of New York, between Charles E. Mix, commissioner on behalf of the United States, of the first part, and the following persons duly authorized thereunto by the Tonawanda band of Seneca Indians, viz.: Jabez Ground, Jesse Spring, Isaac Shanks, George Sky, and Ely S. Parker, of the second part.

Whereas, at the date hereof and concurrent with the execution of this instrument, articles of agreement and convention have been entered into between the parties aforesaid, in and by which articles it is provided that the said Tonawanda band of Seneca Indians may purchase portions of the Tonawanda reservation, "upon the express condition that the rate of purchase shall not exceed \$20 per acre on an average."

And whereas the President of the United States may deem it discreet and expedient that certain portions of said reservation, held in severalty by the assigns of said Ogden and Fellows, should be purchased by said Indians if it shall be necessary so to do, at a rate exceeding \$20 per acre on an average.

Portions of reservation may be bought for more than \$20 per acre, if, &c.

Now, therefore, the said parties of the second part agree, that portions of said reservation may be purchased by the authorized agents of said Indians for them, and paid for out of said sum of \$256,000, at a rate exceeding \$20 per acre on an average, provided the contract or contracts therefor shall be first submitted to and approved by the President, or some public officer to be designated by him.

And the said parties of the second part solicit the President to accept and adopt this supplement as a part of the said articles of agreement and convention entered into concurrent with the execution of this agreement.

In testimony whereof the said Charles E. Mix, commissioner as aforesaid, and the undersigned persons representing the Tonawanda band of Seneca Indians, have hereunto set their hands and seals the day and year first above written.

Signatures.

CHARLES E. MIX, *Commissioner.* [L. s.]

ISAAC x SHANKS,	[L. s.]	JESSE x SPRING,	[L. s.]
GEORGE x SKY,	[L. s.]	ELY S. PARKER.	[L. s.]
JABEZ x GROUND,	[L. s.]		

The foregoing instrument was, on the day of the date thereof, executed in our presence, and we have hereunto, at the same time, affixed our names as subscribing witnesses.

JOHN H. MARTINDALE,
 FREDERICK FOLLETT,
 WILLIAM G. BRYAN,
 C. B. RICH,
 LEANDER MIX,
 HENRY BITTINGER,
 NICHOLSON H. PARKER, *U. S. Interpreter.*

Also, the following chiefs and headmen heartily concur in the foregoing supplemental articles in behalf of themselves and their people :—

LEWIS x POODRY,	THOMSON x BLINKEY,
JESSE x SPRING,	JAMES x MITTEN,
WM. x PARKER,	JOHN x JOSHUA,
JABEZ x GROUND,	JAMES x WILLIAMS,
JOHN x WILSON,	SAMUEL x PARKER,
ISAAC x SHANKS,	GEORGE x SKY,
SNOW x COOPER,	DAVID x PRINTUP,
ISAAC x DOCTOR,	BENJ. x JONAS,
JOHN x BIGFIRE,	ADDISON x CHARLES,
WILLIAM x MOSES,	JOHN x HATCH.

Headmen.

JOHN x SMITH,	WM. x ALICK,
SMALL x PETER,	WM. x STEWART,
JOHN x BEAVER,	ANDREW x BLACKCHIEF,
JOHN x FARMER,	JOHN x INFANT,
TOMMY x WHITE,	WM x TAYLOR,
JOHN x GRIFFIN,	JAMES x BILLY,
GEORGE x MOSES,	DANL. x PETER,
HENRY x MOSES,	SAML. x BLUE SKY,
JOHN x HILL,	JAMES x SCROGG,
JOHN x JONES,	JOHN x SHANKS,
MONROE x JONAS,	LEVI x PARKER,
WM. x JOHNSON,	JOHN x JEMISON,
JACKSON x GROUND,	CHAUNCEY x ABRAM.
HARRISON x SCROGG,	

Signed in open council, in presence of—
 FREDERICK FOLLETT,
 NICHOLSON H. PARKER, *U. S. Interpreter.*

And whereas, the said treaty and the supplementary articles thereunto appended, having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the fourth day of June, one thousand eight hundred and fifty-eight, advise and consent to the ratification of the same.

Consent of
Senate, June 4,
1858.

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fication of the same by a resolution, in the words and figures following, to wit:—

“IN EXECUTIVE SESSION,
“SENATE OF THE UNITED STATES, June 4, 1858.

“*Resolved*, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention between the United States and the Tonawanda band of Seneca Indians, of New York, made the 5th day of November, 1857.

“Attest : “ASBURY DICKINS, *Secretary*.”

Proclamation,
March 31, 1859.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of June the fourth, one thousand eight hundred and fifty-eight, accept, ratify, and confirm said treaty and articles.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, having signed the same with my own hand.

Done at the city of Washington, this thirty-first day of March, in the year of our Lord one thousand eight hundred and fifty-
[SEAL.] nine, and of the Independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President :

LEWIS CASS.

Treaty between the United States and the Ponca Tribe of Indians. Concluded at Washington, March 12, 1858. Ratified by the Senate, March 8, 1859. Proclaimed by the President of the United States, April 11, 1859.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: March 12, 1858.

WHEREAS a treaty was made and concluded, at the city of Washington, on the twelfth day of March, one thousand eight hundred and fifty-eight, by Charles E. Mix, Commissioner on the part of the United States, and Wa-gah-sah-pi, or Whip; Gish-tah-wah-gu, or Strong Walker; Mitchell P. Cera, or Wash-kom-moni; A-shno-ni-kah-gah-hi, or Lone Chief; Shu-kah-bi, or Heavy Clouds; Tah-tungah-nushi, or Standing Buffalo, on the part of the Ponca tribe of Indians, they being duly authorized and empowered thereto by said tribe; which treaty is in the words and figures following, to wit:—

Articles of agreement and convention made and concluded, at the city of Washington, on the twelfth day of March, one thousand eight hundred and fifty-eight, by Charles E. Mix, Commissioner on the part of the United States, and Wa-gah-sah-pi, or Whip; Gish-tah-wah-gu, or Strong Walker; Mitchell P. Cera, or Wash-kom-moni; A-shno-ni-kah-gah-hi, or Lone Chief; Shu-kah-bi, or Heavy Clouds; Tah-tungah-nushi, or Standing Buffalo, on the part of the Ponca tribe of Indians; they being thereto duly authorized and empowered by said tribe.

ARTICLE I. The Ponca tribe of Indians hereby cede and relinquish to the United States all the lands now owned or claimed by them, wherever situate, except the tract bounded as follows, viz.: Beginning at a point on the Neobrara River and running due north, so as to intersect the Ponca River twenty-five miles from its mouth; thence from said point of intersection, up and along the Ponca River, twenty ——— miles; thence due south to the Neobrara River; and thence down and along said river to the place of beginning; which tract is hereby reserved for the future homes of said Indians; and to which they agree and bind themselves to remove within one year from the date of the ratification of this agreement by the Senate and President of the United States.

ARTICLE II. In consideration of the foregoing cession and relinquishment, the United States agree and stipulate as follows, viz.:—

First. To protect the Poncas in the possession of the tract of land reserved for their future homes, and their persons and property thereon, during good behavior on their part.

Second. To pay to them, or expend for their benefit, the sum of twelve thousand dollars (\$12,000) per annum for five years; commencing with the year in which they shall remove to and settle upon the tract reserved for their future homes; ten thousand dollars (\$10,000) per annum for ten years, from and after the expiration of the said five years; and thereafter eight thousand dollars (\$8,000) per annum, for fifteen years; of which sums the President of the United States shall from time to time determine what proportion shall be paid to the Poncas in cash, and what proportion shall be expended for their benefit; and also in what manner or for what objects such expenditure shall be made. He shall likewise exercise the power to make such provision out of the same, as he may

Contracting Parties.

Cession of all lands to the United States. Reservation. Boundaries.

Stipulations on the part of the United States.

to protect the Poncas.

to pay them annuities for thirty years.

how to be paid.

deem to be necessary and proper, for the support and comfort of the aged and infirm members of the tribe.

In case of any material decrease of the Poncas in number, the said amounts shall be reduced and diminished in proportion thereto, or they may, at the discretion of the President, be discontinued altogether should said Indians fail to make satisfactory efforts to advance and improve their condition; in which case such other provision shall be made for them as the President and Congress may judge to be suitable and proper.

United States
to expend
\$20,000 for sub-
sistence, building
houses, &c.

Third. To expend the sum of twenty thousand dollars (\$20,000) in maintaining and subsisting the Poncas during the first year after their removal to their new homes, purchasing stock and agricultural implements, breaking up and fencing land, building houses, and in making such other improvements as may be necessary for their comfort and welfare.

to maintain
schools. Children
to be kept at
school, or pay-
ment discontin-
ued.

Fourth. To establish, and to maintain for ten years, at an annual expense not to exceed five thousand dollars, (\$5,000,) one or more manual labor schools for the education and training of the Ponca youth in letters, agriculture, the mechanic arts, and housewifery; which school or schools shall be managed and conducted in such manner as the President of the United States shall direct; the Poncas hereby stipulating to constantly keep thereat, during at least nine months in every year, all their children between the ages of seven and eighteen years; and that, if this be not done, there shall be deducted from the shares of the annuities due to the parents, guardians, or other persons having control of the children, such amounts as may be proportioned to the deficiency in their time of attendance, compared with the said nine months, and the cost of maintaining and educating the children during that period. It is further agreed that such other measures may be adopted, to compel the attendance of the children at the school or schools as the President may think proper and direct; and whenever he shall be satisfied of a failure to fulfil the afore-said stipulation on the part of the Poncas, he may, at his discretion, diminish or wholly discontinue the allowance and expenditure of the sum herein set apart for the support and maintenance of said school or schools.

to provide saw-
and grist-mills,
mechanics'
shops, &c.

Fifth. To provide the Poncas with a mill suitable for grinding grain and sawing timber, one or more mechanic shops, with the necessary tools for the same, and dwelling-houses for an interpreter, miller, engineer for the mill, if one be necessary, farmer, and the mechanics that may be employed for their benefit, the whole not to exceed in cost the sum of ten thousand five hundred dollars, (\$10,500;) and also to expend annually, for ten years, or during the pleasure of the President, an amount not exceeding seven thousand five hundred dollars, (\$7,500,) for the purpose of furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of said mill, as the Secretary of the Interior may consider advantageous and necessary for them; the Poncas hereby stipulating to furnish from their tribe the number of young men that may be required as apprentices and assistants in the mill and mechanic shops, and at least three persons to work constantly with each laborer employed for them in agricultural pursuits, it being understood that such laborers are to be employed more for the instruction of the Indians than merely to work for their benefit. The persons so to be furnished by the tribe shall be allowed a fair and just compensation for their services, to be fixed by the Secretary of the Interior.

Poncas to fur-
nish apprentices,
&c.

to prevent
injury to mills,
&c.

The Poncas further stipulate and bind themselves to prevent any of the members of their tribe from destroying or injuring the said houses, shops, mill, machinery, stock, farming utensils, or any other thing furnished them by the government; and in case of any such destruction or injury, or of any of the things so furnished being carried off by any member or members of their tribe, the value of the same shall be deducted from the tribal annuities. And whenever the President shall be satisfied that the Poncas have become sufficiently confirmed in habits of industry, and advanced in

acquiring a practical knowledge of agriculture and the mechanic arts, he may, at his discretion, cause to be turned over to the tribe all of the said houses and other property furnished them by the United States, and dispense with the services of any or all of the persons hereinbefore stipulated to be employed for their benefit and assistance.

Poncas to have houses &c. given them, when, &c.

Sixth. To provide and set apart the sum of twenty thousand dollars, (\$20,000,) to enable the Poncas to adjust and settle their existing obligations and engagements, including depredations committed by them on property of citizens of the United States prior to the date of the ratification of this agreement, so far as the same may be found and decided by their agent to be valid and just, subject to the approval of the Secretary of the Interior; and in consideration of the long continued friendship and kindness of Joseph Hollman and William G. Crawford towards the Poncas, of their furnishing them, when in distress, with large quantities of goods and provisions, and of their good counsel and advice, in consequence of which peace has often been preserved between the Poncas and other Indians and the whites, it is agreed that out of the above-mentioned amount they shall be paid the sum of three thousand five hundred dollars, (\$3,500;) and the sum of one thousand dollars (\$1,000) shall in like manner be paid to Jesse Williams, of Iowa, in full for his claim, as such has been admitted by the Poncas for depredations committed by them on his property.

United States to pay \$20,000 to settle existing obligations of the Poncas.

Payments to Joseph Hollman and to Wm. G. Crawford.

to Jesse Williams.

ARTICLE III. The Poncas being desirous of making provision for their half-breed relatives, it is agreed that those who prefer and elect to reside among them shall be permitted to do so, and be entitled to and enjoy all the rights and privileges of members of the tribe; but to those who have chosen and left the tribe to reside among the whites and follow the pursuits of civilized life, viz.: Charles Leclaire, Fort Piere, N. T.; Cillaste Leclaire, Pottowattomie, K. T.; Ciprian Leclaire, St. Louis, Missouri; Julia Harvey, Omaha, N. T.; Jenny Ruleau, Sioux City, Iowa; David Leclaire, Amelia Deloge, and Laura Deloge, at the Omaha mission, there shall be issued scrip for one hundred and sixty acres of land each, which shall be receivable at the United States land-offices in the same manner, and be subject to the same rules and regulations, as military bounty land-warrants. And in consideration of the faithful services rendered to the Poncas by Francis Roy, their interpreter, it is agreed that scrip shall, in the like manner and amount, be issued to his wife and to each of his six children now living, without their being required to leave the nation. *Provided*, That application for the said scrip shall be made to the Commissioner of Indian Affairs within five years from and after the date of the ratification of this agreement.

Provision for half-breeds.

Scrip for 160 acres of land to issue to each.

and to Francis Roy.

Scrip to be applied for in five years.

ARTICLE IV. The United States shall have the right to establish and maintain such military posts, roads, and Indian agencies as may be deemed necessary within the tract of country hereby reserved for the Poncas, but no greater quantity of land or timber shall be used for said purposes than shall be actually requisite; and if, in the establishment or maintenance of such posts, roads, and agencies, the property of any Ponca shall be taken, injured, or destroyed, just and adequate compensation shall be made therefor by the United States. And all roads or highways authorized by competent authority, other than the United States, the lines of which shall lie through said tract, shall have the right of way through the same; the fair and just value of such right being paid to the Poncas therefor by the party or parties authorizing the same or interested therein; to be assessed and determined in such manner as the President of the United States shall direct.

United States may maintain military posts, roads, &c.

ARTICLE V. No white person, unless in the employment of the United States, or duly licensed to trade with the Poncas, or members of the family of such persons, shall be permitted to reside, or to make any settlement, upon any part of the tract herein reserved for said Indians, nor

Whites not to reside on reservation, unless, &c.

Poncas not to alienate their lands, except to the United States, but may divide them among themselves.

Lawful residents on lands hereby ceded may enter 160 acres, at \$1.25 per acre.

Poncas to maintain friendly relations.

to pay for depredations.

not to make war, except, &c.

to surrender offenders.

Annuities to be withheld from those drinking &c. intoxicating liquor.

Annuities of Indians not to pay individual debts.

All demands against the United States released.

Expenses of negotiation, how borne.

Signatures, March 12, 1858.

shall the latter alienate, sell, or in manner dispose of any portion thereof, except to the United States; but, whenever they may think proper, they may divide said tract among themselves, giving to each head of a family or single person a farm, with such rights of possession, transfer to any other member of the tribe, or of descent to their heirs and representatives, as may be in accordance with the laws, customs, and regulations of the tribe.

ARTICLE VI. Such persons as are now lawfully residing on the lands herein ceded by the Poncas shall each have the privilege of entering one hundred and sixty acres thereof, to include any improvements they may have, at one dollar and twenty-five cents per acre.

ARTICLE VII. The Poncas acknowledge their dependence upon the government of the United States, and do hereby pledge and bind themselves to preserve friendly relations with the citizens thereof, and to commit no injuries or depredations on their persons or property, nor on those of members of any other tribe; but, in case of any such injury or depredation, full compensation shall, as far as practicable, be made therefor out of their tribal annuities; the amount in all cases to be determined by the Secretary of the Interior. They further pledge themselves not to engage in hostilities with any other tribe, unless in self-defence, but to submit, through their agent, all matters of dispute and difficulty between themselves and other Indians for the decision of the President of the United States, and to acquiesce in and abide thereby. They also agree, whenever called upon by the proper officer, to deliver up all offenders against the treaties, laws, or regulations of the United States, who may be within the limits of their reservation, and to assist in discovering, pursuing, and capturing all such offenders, whenever required to do so by such officer.

ARTICLE VIII. To aid in preventing the evils of intemperance, it is hereby stipulated that if any of the Poncas shall drink, or procure for others, intoxicating liquor, their proportion of the tribal annuities shall be withheld from them for at least one year; and for a violation of any of the stipulations of this agreement on the part of the Poncas, they shall be liable to have their annuities withheld, in whole or in part, and for such length of time as the President of the United States shall direct.

ARTICLE IX. No part of the annuities of the Poncas shall be taken to pay any claims or demands against them, except such as may arise under this agreement, or under the trade and intercourse-laws of the United States; and the said Indians do hereby fully relinquish and release the United States from all demands against them on the part of the tribe or any individuals thereof, except such as are herein stipulated and provided for.

ARTICLE X. The expenses connected with the negotiation of this agreement shall be paid by the United States.

In testimony whereof, the said Charles E. Mix, commissioner, as aforesaid, and the undersigned delegates and representatives of the Ponca tribes of Indians, have hereunto set their names and seals, at the place and on the day hereinbefore written.

CHARLES E. MIX, *Commissioner.* [L. S.]

WAH-GAH-SAH-PI, or Whip,	his x mark.	[L. S.]
GISH-TAH-WAH-GU, or Strong Walker,	his x mark.	[L. S.]
MITCHELL P. CERA, or Wash-kom-mo-ni,	his x mark.	[L. S.]
A-SHNO-NI-KAH-GAH-HI, or Lone Chief,	his x mark.	[L. S.]
SHU-KAH-BI, or Heavy Clouds,	his x mark.	[L. S.]
TAH-TUNGAH-NUSHI, or Standing Buffalo,	his x mark.	[L. S.]

Executed in the presence of —

EDWARD HANRICK,
E. B. GRAYSON,

JAMES R. ROCHE,
 MOSES KELLY,
 JOSEPH HOLLMAN,
 JNO. WM. WELLS,
 J. B. ROBERTSON, *U. S. Indian Agent*,
 HENRY FONTENELLE, *U. S. Interpreter*,
 FRANCIS ROY, his x mark.

And whereas, the said treaty having been submitted to the Senate for its constitutional action thereon, the Senate did, on the eighth day of March, one thousand eight hundred and fifty-nine, advise and consent to the ratification of its articles, by a resolution, in the words and figures following, to wit:—

Consent of
 Senate, March 8,
 1859.

“IN EXECUTIVE SESSION,
 “SENATE OF THE UNITED STATES, March 8, 1859.

“*Resolved*, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of treaty made and concluded at the city of Washington, the 12th day of March, 1858, between the United States and the Ponca tribe of Indians.

“Attest: “ASBURY DICKINS, *Secretary*.”

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the eighth of March, one thousand eight hundred and fifty-nine, accept, ratify, and confirm the said treaty.

Proclamation,
 April 11, 1859.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, and have signed the same with my hand.

Done at the city of Washington, this eleventh day of April, in the year of our Lord one thousand eight hundred and fifty-
 [SEAL.] nine, and of the independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President:
 LEWIS CASS, *Secretary of State*.

TREATIES.

Treaty with Bolivia. Peace, Friendship, Commerce, and Navigation. Signed at La Paz, May 13, 1858. Ratified by the President of the United States, February 17, 1862. Exchanged at La Paz, November 9, 1862. Proclaimed by the President of the United States, January 8, 1863.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: May 13, 1858.

A PROCLAMATION.

WHEREAS a Treaty of Peace, Friendship, Commerce, and Navigation between the United States and the Republic of Bolivia, was concluded and signed by their respective Plenipotentiaries, at La Paz, on the thirteenth day of May, one thousand eight hundred and fifty-eight, which Treaty, after having been amended and ratified by the contracting parties, is word for word as follows :

Treaty of Peace, Friendship, Commerce, and Navigation, between the United States of America and the Republic of Bolivia.

Tratado de Paz, Amistad, Navegacion i Comercio entre la República de Bolivia i los Estados Unidos de América. Contracting parties.

The United States of America and the Republic of Bolivia, desiring to make lasting and firm the friendship and good understanding which happily prevail between both nations, have resolved to fix, in a manner clear, distinct, and positive, the rules which shall in future be religiously observed between the one and the other, by means of a treaty of friendship, commerce, and navigation. For this most desirable object, the President of the United States of America has conferred full powers on John W. Dana, a citizen of the said States, and their Minister Resident to the said Republic ; and the President of the Republic of Bolivia on the citizen Lucas Mendosa de la Tapia, Secretary of State in the Department of Exterior Relations and Public Instruction, who, after having exchanged their said full powers in due and proper form, have agreed to the following articles :

La República de Bolivia i los Estados Unidos de América, deseando hacer estables i permanentes las relaciones de amistad i buena inteligencia, que felizmente existen entre ambas Naciones, han resuelto fijar de una manera clara, distinta i positiva, las reglas que en lo sucesivo, deben observarse religiosamente entre ambas naciones, por medio de un tratado de amistad, comercio i navegacion.

Contan interesante objeto, el Presidente de la República de Bolivia ha conferido plenos poderes al Ciudadano Lucas Mendoza de la Tapia, Secretario de Estado en el Departamento de Relaciones Exteriores é Instruccion Pública, i el Presidente de los Estados Unidos al Ciudadano Juan Winchester Dana, Ministro Residente de dichos Estados Unidos cerca del Gobierno de Bolivia, quienes despues de haberse comunicado sus mencionados plenos poderes i habiendoles hallado en debida forma, han convenido en los articulos siguientes :

ARTICLE I.

Peace and
friendship.

There shall be a perfect, firm, and inviolable peace and sincere friendship between the United States of America and the Republic of Bolivia, in all the extent of their possessions and territories, and between their people and citizens respectively, without distinction of persons or places.

ARTICLE II.

Rights of most
favored nation.

If either party shall hereafter grant to any other nation, its citizens, or subjects, any particular favor in navigation or commerce, it shall immediately become common to the other party, freely when freely granted to such other nation, or on yielding the same compensation when the grant is conditional.

EXPLANATION.

Explanations.

As in said article it is stipulated that any special favor in navigation and trade granted by one of the contracting parties to any other nation, extends and is common to the other party forthwith, it is declared that, in what pertains to the navigation of rivers, this treaty shall only apply to concessions which the Government may authorize for navigating fluvial streams which do not present obstructions; that is to say, those whose navigation may be naturally plain and current without there having been need to obtain it by the employment of labor and capital; that by consequence there remains reserved the right of the Bolivian Government to grant privileges to any association or company, as well foreign as national, which should undertake the navigation of those rivers from which, in order to succeed, there are difficulties to overcome, such as the clearing out of rapids, &c., &c.

ARTICLE III.

Reciprocal
liberty of com-
merce and navi-
gation.

The United States of America and the Republic of Bolivia mutually agree that there shall be reciprocal liberty of commerce and navigation

ARTICULO I.

Habrá perfecta, firme é inviolable paz i sincera amistad entre la República de Bolivia i los Estados Unidos de América, en toda la estension de sus posesiones i territorios, i entre sus pueblos i ciudadanos respectivos, sin distincion de personas ni de lugares.

ARTICULO II.

Si una de las partes concediere, en lo futuro á cualquiera otra nacion, sus ciudadanos ó súbditos algun favor particular, en navegacion i comercio, se estenderá i hará comun inmediateamente á la otra parte, gratuitamente, si la concesion hubiese sido gratuita ó con compensacion, si la concesion hubiese sido condicional.

ESPLICACION.

Como en dicho articulo se estipula que cualquier favor particular en navegacion i comercio concedido por una de las partes contratantes á cualquiera otra nacion, se estienda i haga comun á la otra parte inmediateamente—se declara que, en lo tocante á la navegacion de los rios, esta convencion solo será aplicable á las concesiones que el Gobierno de Bolivia otorgare para navegar los cursos fluviales que no presentasen obstaculos, es decir, de aquellos cuya navegacion estuviese naturalmente allanada i corriente sin que hubiera sido preciso procurarla empleando trabajo i capitales; que por consiguiente queda á salvo el derecho del Gobierno de Bolivia para conceder privilegios á cualquiera Sociedad ó Compañia tanto estranjera como nacional que emprendiese la navegacion en aquellos rios donde para conseguirla hai que superar dificultades, tales como el allanamiento de cachuelas, &c.

ARTICULO III.

La República de Bolivia i los Estados Unidos de América convienen mutuamente en que haya libertad reciproca de navegacion i

between their respective territories and citizens. The citizens of either republic may frequent with their vessels all the coasts, ports, and places of the other, where foreign commerce is permitted, and reside in all parts of the territory of either, and occupy dwellings and warehouses; and everything belonging thereto shall be respected, and shall not be subjected to any arbitrary visits or search. The said citizens shall have full liberty to trade in all parts of the territory of either, according to the rules established by the respective regulations of commerce, in all kinds of goods, merchandise, manufactures, and produce, not prohibited to all, and to open retail stores and shops, under the same municipal and police regulations as native citizens; and they shall not in this respect be liable to any other or higher taxes on imposts than those which are or may be paid by native citizens. No examination or inspection of their books, papers, or accounts, shall be made without the legal order of a competent tribunal or judge.

The provisions of this treaty are not to be understood as applying to the navigation and coasting trade between one port and another, situated in the territory of either of the contracting parties — the regulation of such navigation and trade being reserved respectively by the parties according to their own separate laws. Vessels of either country shall, however, be permitted to discharge part of their cargoes at one port, open to foreign commerce, in the territories of either of the high contracting parties, paying only the custom-house duties upon that portion of the cargo which may be discharged, and to proceed with the remainder of their cargo to any other port or ports of the same territory, open to foreign commerce, without paying other or higher tonnage duties or port charges in such cases than would be paid by national vessels in like circumstances; and they shall be permitted to load in like manner at different ports in the same voyage outwards.

The citizens of either country

comercio entre sus respectivos territorios i ciudadanos. Los ciudadanos de cualquiera de las dos Repúblicas podrán frecuentar con sus buques todas las costas, puertos i lugares de la otra en que se permite el comercio extranjero, residir en cualquier punto de los territorios de la otra i ocupar las casas i almacenes que necesiten: i todo lo que les pertenezca será respetado i esento de toda visita ó pesquisa arbitraria. Dichos ciudadanos gozarán de entera libertad, para comerciar en todos los puntos del territorio de la otra, segun las reglas establecidas por las respectivas leyes de comercio, en todo jenero de efectos, mercaderias, manufacturas i productos de lícito tráfico, i abrir almacenes i tiendas por menor, sometién dose á las mismas leyes, i á los decretos i usos establecidos para los ciudadanos del pais; i no estarán sujetos á mayores impuestos i contribuciones que los que estos mismos pagan ó deben pagar. No se ecsaminarán ni inspeccionarán los libros, papeles i cuentas que les pertenezcan sin mandato de juez ó tribunal competente.

Las estipulaciones del presente tratado no se considerarán aplicables á la navegacion i comercio de cabotaje entre un puerto i otro, situado en el territorio de cualquiera de las dos partes contratantes; pues la regulacion de este comercio, está reservada respectivamente á las leyes particulares de cada una de ellas. Sin embargo, los buques de cualquiera de los dos paises podrán descargar parte de sus cargamentos en un puerto habilitado para el comercio extranjero, perteneciente al territorio del otro, pagando solamente los derechos de aduana correspondientes á los efectos descargados, i continuar con el resto de su carga á cualquier otro puerto ó puertos del mismo pais, abiertos al comercio extranjero, sin pagar otros ó mayores derechos de tonelaje ó de puerto que los que pagan en iguales casos los buques nacionales. En igual forma se les permitirá cargar en diferentes puertos en un mismo viaje para otros paises.

Los ciudadanos de cualquiera de

Taxes.

Examination of books and papers.

Treaty not to the navigation and coasting trade.

Right to travel.

shall also have the unrestrained right to travel in any part of the possessions of the other, and shall in all cases enjoy the same security and protection as the natives of the country in which they reside, on condition of their submitting to the laws, decrees, and ordinances there prevailing. They shall not be called upon for any forced loan or occasional contribution, nor shall they be liable to any embargo, or to be detained with their vessels, cargoes, merchandise, goods, or effects, for any military expedition, or for any public purpose whatsoever, without being allowed therefor a full and sufficient indemnification, which shall in all cases be agreed upon and paid in advance.

Forced loans,
&c.

ARTICLE IV.

Merchandise which may be imported or exported in the vessels of one nation, may be imported in vessels of the other nation

All kinds of produce, manufactures, or merchandise, of any foreign country which can, from time to time, be lawfully imported into the United States in their own vessels, may be also imported in vessels of the Republic of Bolivia; and no higher or other duties upon the tonnage of the vessel and her cargo shall be levied and collected, whether the importation be made in the vessels of the one country or of the other; and in like manner all kinds of produce, manufactures, and merchandise of any foreign country that can be, from time to time, lawfully imported into the Republic of Bolivia in its own vessels, whether in her ports upon the Pacific or her ports upon the tributaries of the Amazon or La Plata, may be also imported in vessels of the United States; and no higher or other duties upon the tonnage of the vessel and her cargo shall be levied or collected, whether the importation be made in vessels of the one country or of the other. And they agree that what may be lawfully exported or re-exported from the one country in its own vessels, to any foreign country, may, in like manner, be exported or re-exported in the vessels of the other country; and the same bounties, duties, and drawbacks shall be al-

las dos partes tendrán tambien el derecho ilimitado de viajar por cualquiera parte de las posesiones de la ótra, i gozarán en todo caso, de la misma seguridad i proteccion que los naturales del pais donde residen, sometiéndose á las leyes, decretos i ordenanzas que en el se observen; no se les exjirá ningun impuesto forzoso, ni ninguna contribucion accidental, ni estarán sujetos á ningun embargo, ni á ser detenidos con sus buques, cargamentos, mercaderias ó efectos, para ninguna espedicion militar ó para cualquier otro objeto público, sin que por ello se les conceda una cumplida i suficiente indemnizacion, que en todo caso se convenga i pague adelantado.

ARTICULO IV.

Toda clase de productos, manufacturas ó mercaderias de cualquiera nacion extranjera, que puedan, de tiempo en tiempo, ser legalmente importados en los Estados Unidos en sus propios buques, pueden serlo tambien en buques de la República de Bolivia, sin que se les pueda ecsijir ni cobrar otros ó mas altos derechos de tonelaje del buque i su cargamento, sea que la importacion se haga en buques del uno ó del otro pais; i del mismo modo toda clase de productos, manufacturas ó mercaderias de una nacion estraña, que de tiempo en tiempo, pueden ser importados en la República de Bolivia, en sus propios buques, sea por sus puertos del Pacífico, ó por los que tenga sobre los tributarios del Amazonas ó del Plata, puedan tambien ser importados en los buques de los Estados Unidos; sin que se pueda ecsijir ni cobrar otros ó mas altos derechos por el tonelaje del buque i su carga, sea que la importacion se haga en buques del uno ó del otro pais. Y convienen en que todo lo que legalmente pueda ser esportado ó re-exportado de un pais, en sus propios buques, un pais estraño, pueda del mismo modo ser exportado i re-exportado en buques del otro pais. Y los mismos premios, derechos ó re-embolso de derechos, serán concedidos i cobra-

lowed and collected, whether such exportation or re-exportations be made in vessels of the United States or of the Republic of Bolivia.

In all these respects, the vessels and their cargoes of the one country, in the ports of the other, shall also be on an equal footing with those of the most favored nation. It being further understood that these principles shall apply whether the vessels shall have cleared directly from the ports of the nation to which they appertain, or from the ports of any other nation.

ARTICLE V.

For the better understanding of the preceding article, and taking into consideration the actual state of the commercial marine of the Republic of Bolivia, it is stipulated and agreed that all vessels belonging exclusively to a citizen or citizens of said Republic, and whose captain is also a citizen of the same, though the construction or the crew are or may be foreign, shall be considered, for all the objects of this treaty, as a Bolivian vessel.

ARTICLE VI.

No higher or other duties shall be imposed on the importation into the United States of any articles, the produce or manufactures of the Republic of Bolivia, and no higher or other duties shall be imposed on the importation into the Republic of Bolivia of any articles, the produce or manufactures of the United States, than are or shall be payable on the like articles being the produce or manufactures of any other country; nor shall any higher or other duties or charges be imposed, in either of the two countries, on the exportation of any articles to the United States or to the Republic of Bolivia, respectively, than such as are payable on the exportation of the like articles to any other foreign country; nor shall any prohibitions be imposed on the exportation or importation of any articles, the produce or manufactures of the United States, or of the Republic

dos, sea que la exportacion ó re-exportacion se haga en buques de los Estados Unidos ó de la República de Bolivia.

En todos estos casos, los buques de cualquiera de los dos países i sus respectivos cargamentos se pondrán en los puertos del otro en un pié de igualdad con los de la nacion mas favorecida; debiéndose observarse estos principios, sea que los buques fueren despachados directamente de los puertos de la nacion á que pertenece ó sea que lo fueren de los puertos de cualquiera otra nacion.

ARTICULO V.

Para la mejor inteligencia del artículo precedente, í tomando en consideracion el estado actual de la marina comercial de la República de Bolivia, se estipula i conviene, en que todos los buques pertenecientes esclusivamente á un ciudadano ó ciudadanos de dicha República, i cuyo capitan sea tambien ciudadano de la misma, aunque la construccion ó la tripulacion sean ó puedan ser extranjeras, serán considerados, para el objeto de este tratado, como buques Bolivianos.

What to be considered Bolivian vessels.

ARTICULO VI.

No se impondrá otros ni mas altos derechos á las importaciones en los Estados Unidos de cualesquiera artículos, productos ó manufacturas de la República de Bolivia; asi como no se impondrá otros ni mas altos derechos á las importaciones en la República de Bolivia de cualesquiera artículos, productos ó manufacturas de los Estados Unidos, que los que se cobran por iguales artículos á los productos ó manufacturas de otro país; tampoco se impondrá otros ni mas altos derechos ó gravámenes, en ninguno de los dos países, á la exportacion de cualesquiera artículos de la República de Bolivia á los Estados Unidos, ó *vice versa* que los que se pagan por la exportacion de iguales artículos á otro país extranjero; ni se impondrá prohibicion alguna á la importacion ó exportacion de los artículos productos ó manufacturas de la República de Bolivia, ó de los Estados

Duties on imports and exports to be the same as on like articles from or to other countries.

of Bolivia, to or from the territories of the United States, or to or from the territories of the Republic of Bolivia, which shall not equally extend to all other nations.

ARTICLE VII.

Citizens of one country, in the other country to be treated in the same manner, &c.

It is likewise agreed that it shall be wholly free for all merchants, commanders of ships, and other citizens of either country, to manage themselves their own business, in all the ports and places subject to the jurisdiction of the other, as well with respect to the consignment and sale of their goods and merchandise, by wholesale or retail, as with respect to the loading, unloading, and sending off their ships; they being in all these cases to be treated as citizens of the country in which they reside, or at least to be placed on a footing with the citizens or subjects of the most favored nation.

ARTICLE VIII.

Steam-vessels navigating between ports of Bolivia.

The Republic of Bolivia, desiring to increase the intercourse between the Pacific ports by means of steam navigation, engages to accord to any citizen or citizens of the United States who may establish a line of steam-vessels to navigate regularly between the different ports and bays of the coasts of the Bolivian territory, the same privileges of taking in and landing freight and cargo, entering the by-ports for the purpose of receiving and landing passengers and their baggage and money, carrying the public mails, establishing depots for coal, erecting the necessary machine and workshops for repairing and refitting the steam-vessels, and all other favors enjoyed by any other association or company whatsoever, of the same character. It is furthermore understood between the two high contracting parties that the steam-vessels of either shall not be subject, in the ports of the other party, to any duties of tonnage, harbor, or other similar duties whatsoever, than those that are or may be paid by any other association or company.

Unidos, al ó del territorio de Bolivia, al ó del territorio de los Estados Unidos, que igualmente no se extiendan á otras naciones.

ARTICULO VII.

Se conviene igualmente en que será enteramente libre á todo comerciante, comandante de buque, ú otros ciudadanos de cualquiera de los dos países, manejar por sí mismos sus propios negocios, en todos los puertos ó lugares sujetos á la jurisdiccion del otro, asi como respecto á la consignacion i venta de efectos i mercancias, por mayor ó por menor, como tambien respecto á la carga, descarga i despacho de sus buques, debiendo ser, en todos esos casos, tratados como ciudadanos del pais en que residen ó, á lo menos, ser colocados en un mismo pié con los súbditos ó ciudadanos de la nacion mas favorecida.

ARTICULO VIII.

Deseando la República de Bolivia ampliar la comunicacion entre los puertos del Pacifico, por medio de la navegacion por vapor, se compromete á conceder á cualquiera ciudadano ó ciudadanos de los Estados Unidos que concurran á este efecto, estableciendo una linea de vapores entre los puertos ó bahias de las costas del territorio Boliviano, los mismos privilegios para el embarco, desembarco de carga ó flete, recepcion i desembarco de pasajeros, sus equipages i dinero; para el transporte de las baliijas de correos, formacion de depósitos para el combustible, establecimiento de talleres i máquinas para reparar i carenar los vapores, i las demás inmunidades de que goza cualquiera otra sociedad ó compañía del mismo jenero. Convienen además las altas partes contratantes en que los vapores pertenecientes á cualquiera de ellas no estarán sujetos, en los lugares de desembarco de la otra, al pago de ninguna clase de derechos, como los de tonelaje, puerto, ni otros semejantes, á no ser los que paguen ó pagaren otras sociedades ó compañías favorecidas.

ARTICLE IX.

Whenever the citizens of either of the contracting parties shall be forced to seek refuge or asylum in the rivers, ports, or dominions of the other with their vessels, whether merchant or of war, through stress of weather, pursuit of pirates, or enemies, they shall be received and treated with humanity, giving to them all favor and protection for repairing their ships and placing themselves in a situation to continue their voyage, without obstacles or hindrance of any kind. And the provisions of this article shall apply to privateers or private vessels of war as well as public, until the two high contracting parties may relinquish the right of that mode of warfare, in consideration of the general relinquishment of the right of capture of private property upon the high seas.

ARTICLE X.

When any vessel belonging to the citizens of either of the contracting parties shall be wrecked, or shall suffer any damages in the seas, rivers, or channels, within the dominions of the other, there shall be given to them all assistance and protection, in the same manner which is usual and customary with the vessels of the nation where the damage happens, permitting them to unload the said vessel, if necessary, of its merchandise and effects, without exacting for it any duty, impost, or contribution whatever.

ARTICLE XI.

All the ships, merchandise, and the effects belonging to the citizens of one of the contracting parties, which may be captured by pirates, whether within the limits of its jurisdiction or on the high seas, and may be carried or found in the rivers, roads, bays, ports, or dominions of the other, shall be delivered up to the owners, they proving, in due form, their rights before the competent tribunals; it being well under-

ARTICULO IX.

Cuando los ciudadanos de una de las partes contratantes se vean obligados á refugiarse ó asilarse en los rios, puertos ó dominios de la otra, con sus buques sean mercantes ó de guerra, á causa del mal tiempo, ó de la persecucion de enemigos ó piratas, serán recibidos i tratados con consideracion, prestándoseles, todo auxilio i proteccion, para reparar sus buques i ponerse en estado de continuar su viaje sin obstáculo ni riesgo de ningun jénero.

Citizens of either nation seeking refuge, &c., to be treated with humanity.

Las estipulaciones contenidas en este artículo se aplican á los corsarios ó buques privados de guerra, como á los públicos, hasta que las dos altas partes contratantes hayan abandonado la guerra de corso, en consideracion á que generalmente se abandone por las naciones del derecho de apresar propiedades privadas en el mar.

ARTICULO X.

Cuando un buque perteneciente á un ciudadano de una de las naciones contratantes, haya naufragado ó sufrido algun daño en los mares, rios ó canales pertenecientes á la otra, se prestará socorro i proteccion en la misma forma que á los buques de la nacion en que acontece el daño, permitiéndole, si fuese necesario, descargar dicho buque de sus mercancías i efectos, sin exigir por ello derecho ni impuesto ni contribucion alguna.

Vessels wrecked or damaged.

ARTICULO XI.

Todos los buques, mercaderías i efectos pertenecientes á los ciudadanos de una de las partes contratantes, que fueren apresados por piratas dentro de los límites de su jurisdiccion, ó que, siéndolo en altar mar, fuesen llevados á los rios, radas, ó bahías, ó encontrados en los puertos ó dominios de la otra, serán entregados á sus dueños, probando estos en debida forma sus derechos ante los tribunales competentes;

Captures by pirates.

stood that the claim should be made within the term of one year, by the parties themselves, their attorneys, or agents of their respective governments.

ARTICLE XII.

Power of disposing of personal property, and right of succession thereto.

The citizens of each of the contracting parties shall have power to dispose of their personal goods within the jurisdiction of the other, by sale, donation, testament, or otherwise, and their representatives, being citizens of the other party, shall succeed to their said personal goods, whether by testament or *ab intestato*, and they may take possession thereof, either by themselves or others acting for them, and dispose of the same at their will, paying such duties only as the inhabitants of the country where such goods are shall be subject to pay in like cases. And if, in the case of real estate, the said heirs would be prevented from entering into the possession of the inheritance on account of their character of aliens, there shall be granted to them the longest period allowed by the law to dispose of the same as they may think proper, and to withdraw the proceeds without molestation, nor any other charges than those which are imposed by the laws of the country.

ARTICLE XIII.

Citizens of each nation to be protected.

Tribunals of justice to be open.

Both the contracting parties promise and engage, formally, to give their special protection to the persons and property of the citizens of each other, of all occupations, who may be in the territories subject to the jurisdiction of the one or the other, transient or dwelling therein, leaving open and free to them the tribunals of justice, for their judicial recourse, on the same terms which are usual and customary with the natives of the country; for which they may employ, in defence of their rights, such advocates, solicitors, notaries, agents, and factors as they may judge proper, in all their trials at law; and such citizens or agents shall have free opportunity to be

bien entendido que el reclamo será hecho por los mismos interesados, sus apoderados, ó los agentes de sus respectivos gobiernos, dentro del término de un año.

ARTICULO XII.

Los ciudadanos de cada una de las partes contratantes tendrán facultad para disponer de los efectos de su pertenencia, dentro de la jurisdiccion del otro, por venta, donacion, testamento ó de cualquier otra manera, i sus herederos ó representantes, siendo naturales de la otra parte, sucederán en dichos efectos, sea por testamento ó *ab intestato*, i podrán tomar posesion i disponer de ellos á su voluntad, por sí ó por otros que obren á nombre suyo, pagando solamente los derechos á que en semejanjes casos están sujetos los habitantes del pais donde ecsisten dichos efectos. Y sí en el caso de ser los bienes raices, estuviese prohibido á los mencionados herederos, entrar en posesion de la herencia, á causa de su caracter de extranjeros, se les concederá el plazo mas largo que fuese permitido por las leyes, para disponer de ellos como les parezca i esportar su producto, sin otros gravámenes ni derechos que los establecidos por las leyes del pais.

ARTICULO XIII.

Las dos partes contratantes prometen i se obligan formalmente á prestar su proteccion especial á las personas i propiedades de los ciudadanos de la otra, de todas ocupaciones, que esten en los territorios de su respectiva jurisdiccion, sean transeuntes ó domiciliados; dándoles libre acceso á los tribunales de justicia para sus recursos judiciales en los mismos términos que son de uso i costumbre con los naturales; para cuyo efecto podrán emplear en defensa de sus derechos, los abogados, procuradores, notarios, agentes, i factores que les parezca, en todas sus contiendas judiciales; dichos ciudadanos i agentes podrán presentarse libremente á las decisiones i

present at the accusations and sentences of the tribunals in all cases which may concern them; and likewise at the taking of all examinations and evidence which may be exhibited on the said trials, in the manner established by the laws of the country. If the citizens of one of the contracting parties, in the territory of the other, engage in internal political questions, they shall be subject to the same measures of punishment and precaution as the citizens of the country where they reside.

ARTICLE XIV.

The citizens of the two contracting parties shall enjoy the full liberty of conscience in the countries subject to the jurisdiction of the one or the other, without being disturbed or molested on account of their religious opinions, provided they respect the laws and established customs of the country. And the bodies of the citizens of the one who may die in the territory of the other shall be interred in the public cemeteries, or in other decent places of burial, which shall be protected from all violation or insult by the local authorities.

ARTICLE XV.

It shall be lawful for the citizens of the United States of America, and of the Republic of Bolivia, to sail with their ships, with all manner of liberty and security, no distinction being made who are the proprietors of the merchandises laden thereon, from any port to the places of those who now are, or hereafter shall be, at enmity with either of the contracting parties. It shall likewise be lawful for the citizens aforesaid to sail with their ships and merchandises before mentioned, and to trade with the same liberty and security, not only from places and ports of those who are enemies of both or either party, to the ports of the other, and to neutral places, but also from one place belonging to an enemy, to another place belonging

sentencias de los tribunales, en todos los casos que les conciernan, i podrán pedir testimonios de todas las informaciones ó documentos que se produjeren en dichos tribunales en la forma establecida por las leyes del país. Los ciudadanos de una de las partes contratantes que hallándose en territorio de la otra, se injeriesen en las cuestiones políticas internas, estarán sujetos á las mismas medidas de represion ó de precaucion á que lo estuvieren los del país.

Those engaging in internal political questions.

ARTICULO XIV.

Los ciudadanos de las dos partes contratantes gozarán de completa libertad de conciencia, en los países sujetos á la jurisdiccion de la una ó de la otra, sin ser inquietados ni molestados por razon de sus opiniones religiosas, con tal de que respeten las leyes i costumbres establecidas en el país. Además los cuerpos de los ciudadanos de una de las partes contratantes, que fallecieren en el territorio de la otra, serán enterrados en los cementerios públicos ú otros enterratorios decentes, que serán protegidos contra toda violacion ó insulto, por las autoridades locales.

Religious freedom.

Rights of burial.

ARTICULO XV.

Será lícito á los ciudadanos de la República de Bolivia i de la Union Americana navegar con sus buques, con entera libertad i seguridad, sin hacer distincion de dueños de las mercaderias que se encuentren á su bordo, de cualesquiera puerto con direccion á los puertos ó lugares de desembarco de una nacion ó naciones que estén en guerra con una ú otra de las partes contratantes. Será lícito, asi mismo, á dichos ciudadanos navegar i comerciar con sus buques i mercaderias, con entera libertad i seguridad, no solamente de los lugares i puertos de los enemigos de una ó de ambas partes, á los puertos del otro i á los lugares neutrales, sino tambien de un lugar perteneciente á un enemigo, á otro lugar perteneciente á un enemigo,

Freedom of navigation.

to an enemy, whether they be under the jurisdiction of one power or of several.

ARTICLE XVI.

Free ships
make free goods.

The two high contracting parties recognize as permanent and immutable the following principles, to wit :

1st. That free ships make free goods ; that is to say, that the effects or goods belonging to subjects or citizens of a power or state at war are free from capture or confiscation when found on board of neutral vessels, with the exception of articles contraband of war.

Neutral property,
&c., not
subject to confis-
cation, unless,
&c.

2d. That the property of neutrals on board an enemy's vessel is not subject to confiscation, unless the same be contraband of war.

The like neutrality shall be extended to persons who are on board a neutral ship with this effect, that although they may be enemies to both or either party, they are not to be taken out of that ship unless they are officers or soldiers, and in the actual service of the enemies. The contracting parties engage to apply these principles to the commerce and navigation of all such powers and states as shall consent to adopt them as permanent and immutable.

ARTICLE XVII.

Contraband
of war.

This liberty of navigation and commerce shall extend to all kinds of merchandise, excepting those only which are distinguished by the name of contraband of war, and under this name shall be comprehended —

1st. Cannons, mortars, howitzers, swivels, blunderbusses, muskets, fuses, rifles, carbines, pistols, pikes, swords, sabres, lances, spears, halberds, and grenades, bombs, powder, matches, balls, and all other things belonging to the use of these arms.

2d. Bucklers, helmets, breastplates, coats of mail, infantry belts, and clothes made up in the form and for a military use.

3d. Cavalry belts, and horses, with their furniture.

4th. And, generally, all kinds of

sea que esten bajo la jurisdiccion de una potencia ó de varias.

ARTICULO XVI.

Las dos altas partes contratantes reconocerán como permanentes é inmutables los principios siguientes :

1º. Que el buque neutral proteje la carga, es decir, que los efectos, ó mercaderias pertenecientes á los súbditos ó ciudadanos de una nacion enemiga, son neutrales á bordo de un buque neutral, con escepcion de los artículos de contrabando de guerra.

2º. Que la carga neutral á bordo de un buque enemigo, no está sujeta á confiscacion ; permanece neutral, á menos que sea contrabando de guerra.

La misma neutralidad se estenderá á las personas que se hallen á bordo de un buque neutral, de manera que, aunque sean enemigas de ambas ó de una de las partes, no pueden ser estraidas del buque, á no ser que sean oficiales ó soldados que se hallan en actual servicio del enemigo. Las partes contratantes se obligan á aplicar estos principios al comercio i navegacion de todas las potencias ó estados que consientan en adoptarlos como permanentes é inmutables.

ARTICULO XVII.

La libertad de comercio i navegacion se estenderá á todo jénero de mercaderias, esceptuando solamente aquellas que se distinguen con el nombre de contrabando de guerra bajo cuya denominacion se comprenden.

1º. Cañones, morteros, obuses, pedreros, mosquetes, fusiles, rifles, carabinas, pistolas, espadas, sables, lanzas, chusos, alabardas, i granadas, bombas, polvora, mechas, balas, con las demas cosas correspondientes al uso de estas armas.

2º. Broqueles, escudos, yelmos, casquetes, corazas, cotas de malla, fornituras i vestidos hechos en forma i para uso militar.

3º. Bandoleras i caballos con sus arreos.

arms, offensive and defensive, and instruments of iron, steel, brass, and copper, or any other materials, manufactured, prepared, and formed expressly to make war by sea or land.

ARTICLE XVIII.

All other merchandises and things not comprehended in the articles of contraband explicitly enumerated and classified as above, shall be held and considered as free, and subjects of free and lawful commerce, so that they may be carried and transported in the freest manner by the citizens of both the contracting parties, even to places belonging to an enemy, excepting only those places which are at that time besieged or blockaded; and to avoid all doubt in this particular, it is declared that those places or ports only are besieged or blockaded which are actually attacked by a belligerent force capable of preventing the entry of the neutral.

ARTICLE XIX.

The articles of contraband before enumerated and classified which may be found in a vessel bound to an enemy's port shall be subject to detention and confiscation, leaving free the rest of the cargo and the ship, that the owners may dispose of them as they see proper. No vessel of either of the two nations shall be detained on the high seas on account of having on board articles of contraband, whenever the master, captain, or supercargo of said vessel will deliver up the articles of contraband to the captor, unless the quantity of such articles be so great or of so large a bulk that they cannot be received on board the capturing ship without great inconvenience; but in this, as well as in all other cases of just detention, the vessel detained shall be sent to the nearest convenient and safe port for trial and judgment according to law.

4°. Y jeneralmente todo jenero de armas ofensivas ó defensivas, é instrumentos de hierro, acero, bronce i cobre, ó de otras materias, manufacturados, preparados, i formados espresamente para hacer la guerra por mar ó por tierra.

ARTICULO XVIII.

Cualesquiera otras mercaderias i cosas no comprendidas en los artículos de contrabando, explicitamente numerados i clasificados arriba, se tendrán, i considerarán como libres i materia de libre i legitimo comercio, de manera que puedan ser llevadas i trasportadas, en el modo mas libre, por los ciudadanos de las dos partes contratantes aun á lugares pertenecientes al enemigo; esceptuando unicamente aquellos lugares que en aquel tiempo esten sitiados ó bloqueados; i para evitar toda duda en este particular, se declara que unicamente se consideran sitiados ó bloqueados, aquellos lugares ó puertos que esten á la sazón atacados por una fuerza capaz de impedir la entrada del neutral.

Property not enumerated as contraband, to be free.

ARTICULO XIX.

Los artículos de contrabando ya enumerados i clasificados, que se encuentren á bordo de un buque destinado á un puerto enemigo, estarán sujetos á detencion i confiscacion, quedando libre el resto de la carga i el buque, para que los dueños puedan hacer uso de ellos como les parezca conveniente. Ningun buque de ninguna de las partes contratantes podrá ser detenido en alta mar por tener á bordo artículos de contrabando si el maestre, capitan, ó sobrecargo de dicho buque quiere entregar los artículos de contrabando al aprehensor, á menos de que sea tan grande ó de tanto volúmen la cantidad de los tales artículos, que no puedan ser recibidos á bordo del buque aprehensor sin grande inconveniente; pero en este, como en cualquiera otro caso de justa detencion, el buque detenido será enviado al puerto mas inmediato, seguro i cómodo para ser juzgado con arreglo á las leyes.

What property found in vessels liable to be confiscated.

ARTICLE XX.

Blockades.

And whereas it frequently happens that vessels sail for a port or places belonging to an enemy without knowing that the same is besieged, blockaded, or invested, it is agreed that every vessel so circumstanced may be turned away from such port or place, but shall not be detained; nor shall any part of her cargo, if not contraband, be confiscated, unless, after warning of such blockade or investment from any officer commanding a vessel of the blockading forces, they shall again attempt to enter; but she shall be permitted to go to any other port or place she shall think proper. Nor shall any vessel of either that may have entered into such port before the same was actually besieged, blockaded, or invested by the other, be restrained from quitting such place with her cargo; nor, if found therein after the reduction and surrender, shall such vessel or her cargo be liable to confiscation, but they shall be restored to the owners thereof.

ARTICLE XXI.

Visiting and examination of ships and cargoes.

In order to prevent all kind of disorder in the visiting and examination of the ships and cargoes of both the contracting parties on the high seas, they mutually agree that, whenever a vessel of war shall meet with a neutral of the other contracting party, the first shall remain at a convenient distance, and may send its boats with two or three men only, in order to execute the said examination of the papers concerning the ownership and cargo of the vessel, without causing the least extortion, violence, or ill-treatment, for which the commanders of the said armed ships shall be responsible with their persons and property; for which purpose the commanders of private armed vessels shall, before receiving their commissions, give sufficient security to answer for all the damages they may commit; and it is expressly agreed that the neutral party shall in no case be required to go on board the examining vessel for

ARTICULO XX.

Y como frecuentemente sucede que navegan buques para puertos ó lugares pertenecientes al enemigo, sin saber que se hallan sitiados, bloqueados, ó atacados, se conviene en que todo buque que se halle en este caso pueda ser rechazado de tal puerto ó lugar, mas no detenido, ni confiscada, parte alguna de su carga, sino es contrabando de guerra, á menos que despues de notificársele el bloqueo ó ataque por un oficial que mande un buque de las fuerzas bloqueadoras, insistiera en entrar; pero se le permitirá ir á cualquier otro puerto ó lugar que juzque á propósito. Ningun buque de una parte que hubiese entrado en un puerto, antes de que fuese sitiado, bloqueado, ó atacado por la otra, podrá ser impedido de salir del lugar con su carga; ni si se encontrase allí despues de la reduccion ó entrega, estará sujeto tal buque ó su carga á confiscacion, sino que se le restituirá á su dueño ó propietario.

ARTICULO XXI.

Para prevenir todo jénero de desorden en la visita i ecsamen de los buques i cargamentos de ambas partes contratantes en alta mar, convienen mutuamente que cuando un buque de guerra encontrare á un neutral de la otra parte contratante, el primero permanecerá á una conveniente distancia, i enviará sus botes con dos ó tres hombres solamente, con el objeto de ecsaminar los papeles concernientes á la propiedad i cargamento del buque, sin causar la menor estorsion, violencia, ó maltratamiento, respecto á lo cual, los comandantes de dichos buques armados, serán responsables con sus personas i propiedades; para cuyo fin los comandantes de buques privados armados, antes de recibir sus comisiones, darán suficiente seguridad para responder por todos los daños i perjuicios que cometieren. Se conviene espresamente en que la parte neutral, en ningun caso, será requerida á ir á bordo del buque

the purpose of exhibiting his papers, or for any other purpose whatever.

ARTICLE XXII.

To avoid all kind of vexation and abuse in the examination of the papers relating to the ownership of the vessels belonging to the citizens of the two contracting parties, they agree that, in case one of them should be engaged in war, the ships and vessels belonging to the citizens of the other must be furnished with sea-letters or passports, expressing the name, property, and bulk of the ships, as also the name and place of habitation of the master and commander of said vessel, in order that it may thereby appear that said ship truly belongs to the citizens of one of the parties; they likewise agree that such ships being laden, besides the said sea-letters or passports, shall also be provided with certificates, containing the several particulars of the cargo, and the place whence the ship sailed, so that it may be known whether any forbidden or contraband goods be on board the same; which certificates shall be made out by the officers of the place whence the ship sailed in the accustomed form; without such requisites said vessels may be detained, to be adjudged by the competent tribunal, and may be declared legal prize, unless the said defect shall prove to be owing to accident, and supplied by testimony entirely equivalent.

ARTICLE XXIII.

It is further agreed that the stipulations above expressed, relative to the visiting and examination of vessels, shall apply only to those which sail without convoy; and when said vessels shall be under convoy, the verbal declaration of the commander of the convoy, on his word of honor, that the vessels under his protection, belong to the nation whose flag he carries, and,

que hace la visita con el objeto de exhibir sus papeles, ni para ningun otro objeto.

ARTICULO XXII.

Para evitar todo jenero de abuso i vejacion, en el ecsámen de los papeles relativos á la propiedad de los buques pertenecientes á los ciudadanos de las dos partes contratantes, convienen en que, en caso de que una de ellas estuviese empeñada en guerra, los buques pertenecientes á los ciudadanos de la otra, deben estar provistos de letras de mar ó pasaportes, en que se espese el nombre, propiedad, i tamaño de los buques, como tambien el nombre i residencia del maestre i comandante de dicho buque, á fin de que aparezca por ellos que dicho buque pertenece verdaderamente á los ciudadanos de una de las partes. Convienen asi mismo en que los tales buques, estando cargados, fuera de dichas letras de mar ó pasaportes, deben tambien estar provistos de certificados, que contengan los diferentes pormenores del cargamento, i el lugar de la procedencia del buque, de manera que se pueda saber si lleva á su bordo efectos prohibidos ó de contrabando; los cuales certificados serán espedidos por los empleados del lugar de donde procede el buque, en la forma acostumbrada: faltando estos requisitos, dichos buques pueden ser detenidos para ser juzgados por el tribunal competente i declarados buena presa, á menos de que se pruebe que dicha falta proviene de accidente i sea suplida por un testimonio equivalente.

Certificates.

ARTICULO XXIII.

Se conviene asi mismo en que las precedentes estipulaciones relativas á la visita i ecsamen de los buques, se aplicarán solamente á aquellos que navegan sin convoi; i cuando dichos buques fueren convoyados, la declaracion verbal del comandante del convoi, bajo su palabra de honor, de que los buques que están bajo su proteccion, pertenecen á la nacion cuya bandera llevan, i cuando su

Vessels under convoy.

when they are bound to an enemy's port, that they have no contraband goods on board, shall be sufficient.

ARTICLE XXIV.

What courts to take cognizance of prize causes.

It is further agreed that in all cases the established courts for prize causes in the country to which the prizes may be conducted shall alone take cognizance of them; and whenever such tribunals of either party shall pronounce judgment against any vessel, or goods, or property claimed by the citizens of the other party, the sentence or decree shall mention the reasons or motives on which the same shall have been founded, and an authenticated copy of the sentence or decree, and of all the proceedings in the case, shall, if demanded, be delivered to the commander or agent of said vessel without any delay, he paying the legal fees for the same.

ARTICLE XXV.

No letters of marque to act as privateers.

No citizen of the Republic of Bolivia shall take any commission or letters of marque for arming any ship or ships to act as privateers against the said United States, or any of them, or against the citizens, people, or inhabitants of the said United States, or any of them, or against the property of any of the inhabitants of any of them, from any prince or state with which the said United States shall be at war; nor shall any citizen or inhabitant of the United States, or any of them, take any commission or letters of marque for arming any ship or ships to act as privateers against the citizens of the Republic of Bolivia, or any of them, or the property of any of them, from any prince or state with which the said Republic of Bolivia shall be at war; and if any person of either nation shall take such commissions or letters of marque he shall be punished according to their respective laws.

ARTICLE XXVI.

Free navigation In accordance with fixed princi-

destino es á un puerto enemigo, de que no tienen á bordo jéneros de contrabando, será suficiente.

ARTICULO XXIV.

Se conviene así mismo que en todo caso los tribunales establecidos para las causas de presas en el país á que las presas fueren conducidas, serán los unicos que tomen conocimiento de ellas; i siempre que tales tribunales de una ú otra parte pronunciarensentencia contra un buque, ó jéneros ó propiedad, reclamados por los ciudadanos de la otra parte, la sentencia ó decision pronunciada hará mención de las razones ó motivos en que se ha fundado, i se entregará, siempre que lo pidieren, al comandante ó agente de dicho buque, una copia autentica de la sentencia ó decision i de todos los procedimientos del caso sin retardo alguno, pagando por ello los derechos ó gastos legales.

ARTICULO XXV.

Ningun ciudadano de la República de Bolivia podrá aceptar comision ó letras de marca, para armar en corso uno ó mas buques i obrar como corsario contra los Estados Unidos, ó alguno de ellos, ó contra los ciudadanos, pueblo, ó habitantes de alguno de ellos, ó contra la propiedad de alguno de los habitantes de alguno de ellos, de ningun principe ó nacion con que dichos Estados Unidos estuvieren en guerra; tampoco podrá ningun ciudadano ó habitante de los Estados Unidos aceptar comision ó letras de marca, para armar uno ó mas buques i obra como corsario contra los ciudadanos de la República de Bolivia, ó alguno de ellos, ó la propiedad de alguno de ellos, de ningun principe ó estado con el cual dicha República de Bolivia estuviera en guerra; i si alguna persona de una ú otra nacion tomáre tales comisiones ó letras de marca, será castigado conforme á sus leyes respectivas.

ARTICULO XXVI.

Conforme á los principios fijos del

ples of international law, Bolivia regards the rivers Amazon and La Plata, with their tributaries, as highways or channels opened by nature for the commerce of all nations. In virtue of which, and desirous of promoting an exchange of productions through these channels, she will permit and invites commercial vessels of all descriptions of the United States, and of all other nations of the world, to navigate freely in any part of their courses which pertain to her, ascending those rivers to Bolivian ports, and descending therefrom to the ocean, subject only to the conditions established by this treaty, and to regulations sanctioned, or which may be sanctioned, by the national authorities of Bolivia not inconsistent with the stipulations thereof.

ARTICLE XXVII.

The owners or commanders of vessels of the United States entering the Bolivian tributaries of the Amazon or La Plata shall have the right to put up or construct, in whole or in part, vessels adapted to shoal-river navigation, and to transfer their cargoes to them without the payment of additional duties; and they shall not pay duties of any description for sections or pieces of vessels, nor for the machinery or materials which they may introduce for use in the construction of said vessels.

All places accessible to these, or other vessels of the United States, upon the said Bolivian tributaries of the Amazon or La Plata, shall be considered as ports open to foreign commerce, and subject to the provisions of this treaty, under such regulations as the Government may deem necessary to establish for the collection of custom-house, port, light-house, police, and pilot duties. And such vessels may discharge and receive freight or cargo, being effects of the country or foreign, at any one of said ports, notwithstanding the provisions of article 3.

derecho internacional, Bolivia considera los rios Amazonas i Plata i sus respectivos afluentes, como vias ó canales abiertos por la naturaleza para el comercio de todas las naciones. En su virtud, i deseando promover un cambio de productos por medio de estos canales, permite i convida á los buques mercantes de todo clase de los Estados Unidos i de todas las naciones del mundo, á navegar libremente en toda la parte de los cursos que le pertenezcan, subiendo por dichos canales á puertos Bolivianos, ó bajando de estos al océano, con sujecion unicamente á las condiciones que establece este tratado, i á las leyes i reglamentos sancionados ó que en adelante se sancionaren por la autoridad nacional de Bolivia, i que no estén en contradiccion con sus estipulaciones.

ARTICULO XXVII.

Los armadores i comandantes de buques de los Estados Unidos, desde que hayan entrado en los tributarios Bolivianos del Amazonas i del Plata, tendrán derecho de armar i construir en todo ó en parte embarcaciones adaptables á rios de poca profundidad, i trasbordar sus cargamentos á los buques así construidos, sin pagar por ello derechos adicionales. No pagarán derechos de ninguna clase por secciones ó piezas de buque, ni por las máquinas ó materias que introdujeren para facilitar la construccion de dichas embarcaciones.

Todos los puntos accesibles á estas ú otras embarcaciones de los Estados Unidos en los tributarios Bolivianos del Amazonas ó del Plata, serán considerados como puertos abiertos al comercio extranjero, i sujetos á las disposiciones de este tratado bajo el réjimen que el Gobierno tenga á bien establecer para el cobro de derechos de aduana, puerto, fanal, policia, i pilotaje. Por consiguiente podrán descargar i recibir flete ó carga de efectos del pais ó extranjeros, en cualquiera de dichos puntos, sin perjuicio de lo estipulado en el artículo 3.

of the Amazon
and La Plata.Navigation of
the tributaries of
the Amazon or
La Plata.Ports open to
foreign com-
merce.

ARTICLE XXVIII.

Privileges in
case of war.

If, by any fatality, (which cannot be expected, and which God forbid,) the two contracting parties should be engaged in a war with each other, they agree, now for then, that there shall be allowed the term of six months to the merchants residing on the coasts and in the ports of each other, and the term of one year to those who dwell in the interior, to arrange their business and transport their effects wherever they please, giving to them the safe conduct necessary for it, which may serve as a sufficient protection until they arrive at the designated port. The citizens of all other occupations, who may be established in the Territories of the United States and the Republic of Bolivia, shall be respected and maintained in the full enjoyment of their personal liberty and property, unless their particular conduct shall cause them to forfeit this protection, which, in consideration of humanity, the contracting parties engage to give them.

ARTICLE XXIX.

Debts, &c., not
to be confiscated.

Neither the debts due from the individuals of one nation to the individuals of the other, nor shares, nor moneys which they may have in the public funds, nor in public or private banks, shall ever, in any event of war or of national difference, be sequestered or confiscated.

ARTICLE XXX.

Privileges of
most favored
nation to minis-
ters, &c.

Both the contracting parties, being desirous of avoiding all inequality in relation to their public communications and official intercourse, agree to grant to the envoys, ministers, and other public agents, the same favors, immunities, and exemptions which those of the most favored nation do or may enjoy; it being understood that whatever favors, immunities, or privileges, the United States of America or the Republic of Bolivia may find it proper to give to the ministers and

ARTICULO XXVIII.

Si por una desgracia, que no es de esperar, i que Dios no permita, las dos partes contratantes se empeñasen en una guerra una con otra, convienen ahora para entónces en que se concederá el término de seis meses á los comerciantes i traficantes residentes en las costas i puertos de la otra, i el de un año á los que habiten en el interior, para arreglar sus negocios i trasportar sus efectos donde les convenga, dándoles el salvo-conducto necesario para el efecto, tal que les pueda servir de suficiente proteccion hasta que lleguen al puerto designado. Los ciudadanos de todas las otras ocupaciones que estén establecidos en el territorio de los Estados Unidos i de la República de Bolivia serán respetados i mantenidos en el pleno goce de su libertad personal i de sus propiedades, á no ser que su conducta particular les cause privarse de esta proteccion, que las partes contratantes les acuerdan por consideraciones de humanidad.

ARTICULO XXIX.

Ni las deudas particulares de los individuos de una de las dos partes contratantes á los individuos de la otra, ni las acciones ó dinero que ellos puedan tener en los fondos públicos, ó en los bancos públicos ó privados, podrán jamás en caso de guerra ó de diferencias nacionales, ser secuestrados ni confiscados.

ARTICULO XXX.

Deseando las dos partes contratantes evitar toda desigualdad relativa á sus comunicaciones públicas i á su correspondencia oficial, convienen en conceder á los enviados, ministros, i otros agentes públicos, los mismos favores, inmunidades i esenciones que hoi gozan i en adelante gozaren los de la nacion mas favorecida, entendiéndose que cualesquiera favores, inmunidades ó privilegios que la República de Bolivia i los Estados Unidos de América tuvieren por conveniente conce-

other public agents of any other power, shall, by the same act, be extended to those of each of the contracting parties.

ARTICLE XXXI.

To make effectual the protection which the United States and the Republic of Bolivia shall afford in future to the navigation and commerce of the citizens of each other, they agree to receive and admit consuls and vice-consuls in all the ports open to foreign commerce, who shall enjoy in them all the rights, prerogatives, and immunities of the consuls and vice-consuls of the most favored nation; each contracting party, however, remaining at liberty to except those ports and places in which the admission and residence of such consuls and vice-consuls may not seem convenient.

ARTICLE XXXII.

In order that the consuls and vice-consuls of the two contracting parties may enjoy the rights, immunities, and prerogatives which belong to them by their public character, they shall, before entering upon their functions, exhibit their commission or patent in due form to the government to which they are accredited, and, having obtained their *exequatur*, they shall be held and considered as such by all the authorities, magistrates, and inhabitants in the consular district in which they reside.

ARTICLE XXXIII.

It is also agreed that the consuls, and officers and persons attached to the consulate, they not being citizens of the country in which the consul resides, shall be exempted from all kinds of imposts and contributions, except those which they shall be obliged to pay on account of their commerce or property, to which the citizens or inhabitants, native or foreign, of the country in which they reside are subject, being, in every-

der á los ministros i otros agentes públicos de cualquiera otra potencia, serán por el mismo hecho entendidos á los de cada una de las partes contratantes.

ARTICULO XXXI.

Para hacer mas efectiva la proteccion que la República de Bolivia i los Estados Unidos prestarán en lo futuro á la navegacion i al comercio de sus ciudadanos respectivos, convienen en recibir i admitir consules i vice-consules en todos los puertos abiertos al comercio extranjero, quienes gozarán en ellos de todos los derechos, prerogativas, ó inmunidades de los consules ó vice-consules de la nacion mas favorecida, quedando sin embargo cada una de las partes contratantes libre para esceptuar aquellos puertos i lugares en que la admision i residencia de tales consules i vice-consules no le parezca conveniente.

Consuls and
vice-consuls.

ARTICULO XXXII.

Para que los consules i vice-consules de las dos partes contratantes puedan gozar de los derechos, prerogativas, ó inmunidades que les pertenecen por su caracter público, escibirán, ántes de entrar en el ejercicio de sus funciones, su comision ó patente en debida forma, al gobierno ante quien son acreditados, i habiendo obtenido el *exequatur*, serán tenidos i considerados como tales, por todas las autoridades, magistrados, i habitantes del distrito consular en que residen.

Credentials and
exequatur.

ARTICULO XXXIII.

Convienen igualmente en que los cónsules, oficiales, i demas personas agregadas al consulado, no siendo ciudadanos del pais en que reside el consul, estarán esentos de todo jénero de impuestos i contribuciones, escepto aquellos que esten obligados á pagar por razon de comercio i de su propiedad, i á la que están sujetos los ciudadanos i otros habitantes del pais en que residen, estando ellos por lo demás sujetos

Exemptions of
consuls, &c.

thing besides, subject to the laws of the respective states. The archives and papers of the consulate shall be respected inviolably, and under no pretext whatever shall any magistrate seize, or in any way interfere with them.

ARTICLE XXXIV.

Deserters from
vessels.

The said consuls shall have power to require the assistance of the authorities of the country for the arrest, detention, and custody of deserters from the public and private vessels of their country; and for that purpose they shall address themselves to the courts, judges, and officers competent, and shall demand the said deserters in writing, proving by an exhibition of the registers of the vessels' or ships' roll, or other public documents, that those men were part of the said crews; and on this demand, so proved, (saving, however, when the contrary is proved,) the delivery shall not be refused. Such deserters, when arrested, shall be put at the disposal of said consuls, and may be put in the public prisons, at the request and expense of those who reclaim them, to be sent to the ships to which they belonged, or to others of the same nation; but if they be not sent back within two months, to be counted from the day of their arrest, they shall be set at liberty, and shall be no more arrested for the same cause.

ARTICLE XXXV.

Consular con-
vention.

For the purpose of more effectually protecting their commerce and navigation, the two contracting parties agree, as soon hereafter as circumstances will permit them, to form a consular convention, which shall declare especially the powers and immunities of the consuls and vice-consuls of the respective parties.

ARTICLE XXXVI.

The United States of America and the Republic of Bolivia, desiring to make as durable as circum-

á las leyes de los respectivos estados. Los archivos i papeles de los consulados serán inviolablemente respetados, i bajo ningun pretexto se apoderará ni intervendrá en ellos ningun majistrado.

ARTICULO XXXIV.

Los dichos cónsules tendrán facultad para requerir el auxilio de las autoridades del país, para el arresto, detencion, i custodia de los desertores de los buques públicos i privados de su nacion; i para el efecto se dirigirán á los tribunales, jueces, i autoridades competentes, i pedirán por escrito dichos desertores, probando con la manifestacion de los registros ó roles de los buques, ó con otros documentos públicos, que aquellos hombres hacian parte de dicha tripulacion; i probada asi la demanda, no podrá ser rehusada la entrega, (salvo, no obstante cuando haya prueba en contrario.) Tales desertores, una vez arrestados, serán puestos á disposicion de dichos cónsules, i podrán ponerse en las prisiones públicas, á instancia i costa de los que los reclamen, para ser enviados á los buques á que pertenecian ó á otros de la misma nacion. Pero, si no fueren enviados dentro de dos meses, que deben contarse desde el dia de su arresto, serán puestos en libertad, i no volverán á ser arrestados por la misma causa.

ARTICULO XXXV.

Con el fin de proteger mas eficazmente su comercio i navegacion, las dos partes contratantes convienen por el presente, en formar, luego que las circunstancias lo permitan, una convencion consular que declare especialmente las facultades é inmunidades de los cónsules i vice-cónsules de las respectivas partes.

ARTICULO XXXVI.

La República de Bolivia i los Estados Unidos de América, dese-
ando hacer tan duraderas como las

stances will permit the relations which are established between the two parties by virtue of this treaty of peace, amity, commerce, and navigation, declare solemnly and agree to the following points: —

1st. The present treaty shall remain in full force and virtue for the term of ten years, to be counted from the day of the exchange of the ratifications, and further, until the end of one year after either of the contracting parties shall have given notice to the other of its intention to terminate the same; each of the contracting parties reserving to itself the right of giving such notice to the other at the end of said term of ten years; and it is agreed between them that, on the expiration of one year after such notice shall have been received by either from the other party, this treaty, in all its parts relative to commerce and navigation, shall altogether cease and determine; and in all those parts which relate to peace and friendship, it shall be *perpetual and permanently* binding on both powers.

2d. If one or more of the citizens of either party shall infringe any of the articles of this treaty, such citizen shall be held personally responsible for the same, and harmony and good correspondence between the two nations shall not be interrupted thereby, each party engaging in no way to protect the offender, or sanction such violation.

3d. If, (what indeed cannot be expected,) unfortunately, any of the articles contained in the present treaty shall be violated, or infringed in any other mode whatever, it is expressly stipulated that neither of the contracting parties will order or authorize any act of reprisal, nor declare war against the other, on complaints of injuries or damages, until the said party considering itself offended shall have first presented to the other a statement of such injuries or damages, verified by competent proofs, and demanded justice, and the same shall have been either refused or unreasonably delayed.

circunstancias lo permitan las relaciones que quedan establecidas entre las dos partes, por virtud de este tratado de paz, amistad, comercio, i navegacion, han declarado solemnemente i convenien en los siguientes puntos: —

1º. El presente tratado permanecerá en plena fuerza i valor por el termino de diez años, que se contarán desde el dia del canje de las ratificaciones, i en adelante, hasta el fin de un año despues que una de las partes haya notificado á la otra su intencion de lacerlo cesar; reservándose cada una de las partes contratantes el derecho de hacer semejante notificacion á la otra, al fin de dicho termino de diez años. Y se conviene además entre las partes, que á la espiracion de un año despues que la notificacion haya sido recibida por una de ellas, este tratado, en todas sus partes relativas al comercio i navegacion, cesará i terminará enteramente, i en todas aquellas partes que dicen relacion á la paz i amistad, será perpetuo i permanentemente obligatorio para ámbas potencias.

2º. Si cualquiera ó cualesquiera ciudadanos de una ú otra parte quebrantaren alguno de los artículos del presente tratado, dicho ciudadano ó ciudadanos serán personalmente responsables, i la armonía i buena correspondencia entre las dos naciones no serán por eso interrumpidas, comprometiéndose cada parte á no proteger al ofensor ó sancionar tal violacion.

3º. Si, (lo que no es de esperar,) desgraciadamente alguno de los artículos contenidos en este tratado fué violado é infringido de alguna otra manera, se estipula espresamente que ninguna de las partes contratantes ordenará ni autorizará ningun acto de represalia, ni declarará guerra contra la otra, por quejas de agravios ó perjuicios, hasta que la dicha parte que se considere ofendida haya presentado á la otra una representacion de tales injurias ó daños, verificada por pruebas competentes, i haya demandado justicia, i que esta le haya sido rehusada ó retardada sin razon.

Duration of this treaty.

Infringement of treaty by citizens.

Proceedings in case of violation of any article.

Treaty not to conflict with certain existing treaties.

How to be ratified.

4th. Nothing in this treaty shall, however, be construed or operate contrary to former and existing public treaties with other sovereigns and states.

The present treaty of peace, amity, commerce, and navigation shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the President of the Republic of Bolivia, with the approbation of the National Congress; and the ratifications shall be exchanged in the capital of the Republic of Bolivia within eight months, to be counted from the date of the ratification by both governments.

In faith whereof, we, the plenipotentiaries of the United States of America and of the Republic of Bolivia, have signed and sealed these presents.

Signature.

Done in La Paz, on the thirteenth (13th) day of May, in the year of our Lord one thousand eight hundred and fifty-eight, (A. D. 1858.)

JOHN W. DANA, [L. s.]
LUCAS M. DE LA TAPIA, [L. s.]

4°. Nada de lo contenido en este tratado se entenderá, sin embargo, capaz de producir efectos contrarios á tratados anteriores con otros estados ó soberanos.

El presente tratado de paz, amistad, comercio, i navegacion será ratificado por el Presidente de la República de Bolivia con la aprobacion del Congreso Nacional, i por el Presidente de los Estados Unidos de América, con el dictamen i consentimiento del Senado de dichos Estados; i las ratificaciones serán canjeadas en la capital de la República de Bolivia dentro de ocho meses, que deberán contarse desde la data de dichas ratificaciones por ambos gobiernos.

En fé de lo cual, nos los plenipotenciarios de la República de Bolivia i de los Estados Unidos de América, hemos firmado i sellado el presente.

Hecho en La Paz, el trece de Mayo, del año del Señor de mil ocho cientos cincuenta i ocho.

LUCAS M. DE LA TAPIA, [L. s.]
JOHN W. DANA, [L. s.]

Exchange of ratifications, November 9, 1862.

Proclaimed January 8, 1863.

And whereas the said treaty, as amended, has been duly ratified on both parts, and the respective ratifications of the same were exchanged at La Paz, on the 9th of November last, by David K. Cartter, Minister Resident of the United States, and Señor Don Manuel José Cortiz, Minister for Foreign Relations of Bolivia, on the part of their respective governments, the time specified for that purpose by the thirty-sixth article having been extended by the contracting parties.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, have caused the said treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

[L. s.] Done at the city of Washington, this eighth day of January, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty of Peace, Amity, and Commerce, between the United States of America and China. Concluded at Tientsin, June 18, 1858; Rati- fied by the United States, December 21, 1858, and Proclaimed by the President of the United States, January 26, 1860.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA :

A PROCLAMATION.

June 18, 1858.

WHEREAS a treaty between the United States of America and the Ta-Tsing Empire was concluded and signed at Tientsin by their respective plenipotentiaries, on the eighteenth day of June, 1858, which treaty is, word for word, as follows :

The United States of America and the Ta-Tsing Empire, desiring to maintain firm, lasting, and sincere friendship, have resolved to renew, in a manner clear and positive, by means of a treaty or general convention of peace, amity, and commerce, the rules which shall in future be mutu- ally observed in the intercourse of their respective countries ; for which most desirable object the President of the United States and the august sovereign of the Ta-Tsing Empire have named for their plenipotentiaries, to wit : the President of the United States of America, William B. Reed, Envoy Extraordinary and Minister Plenipotentiary to China ; and his Majesty the Emperor of China, Kweiliang, a member of the Privy Council and Superintendent of the Board of Punishments ; and Hwa- shana, President of the Board of Civil Office and Major General of the Bordered Blue Banner Division of the Chinese Banner-men, both of them being Imperial Commissioners and Plenipotentiaries ; and the said ministers, in virtue of the respective full powers they have received from their governments, have agreed upon the following articles :

Contracting parties.

Negotiators.

ARTICLE I. There shall be, as there have always been, peace and friendship between the United States of America and the Ta-Tsing Em- pire, and between their people, respectively. They shall not insult or op- press each other for any trifling cause, so as to produce an estrangement between them ; and if any other nation should act unjustly or oppres- sively, the United States will exert their good offices, on being informed of the case, to bring about an amicable arrangement of the question, thus showing their friendly feelings.

Amity, &c.

ARTICLE II. In order to perpetuate friendship, on the exchange of ratifications by the President, with the advice and consent of the Senate of the United States, and by his Majesty the Emperor of China, this treaty shall be kept and sacredly guarded in this way, viz. : The original treaty, as ratified by the President of the United States, shall be de- posited at Peking, the capital of his Majesty the Emperor of China, in charge of the Privy Council ; and, as ratified by his Majesty the Emperor of China, shall be deposited at Washington, the capital of the United States, in charge of the Secretary of State.

Original treaty, how and where to be kept.

ARTICLE III. In order that the people of the two countries may know and obey the provisions of this treaty, the United States of America agree, immediately on the exchange of ratifications, to proclaim the same and to publish it by proclamation in the gazettes where the laws of the United States of America are published by authority ; and his Majesty the Emperor of China, on the exchange of ratifications, agrees immediately

To be published

to direct the publication of the same at the capital and by the governors of all the provinces.

Minister of the United States in China to have the right to correspond, &c., with certain officers, &c.

ARTICLE IV. In order further to perpetuate friendship, the minister or commissioner, or the highest diplomatic representative of the United States of America in China, shall at all times have the right to correspond on terms of perfect equality and confidence with the officers of the Privy Council at the capital, or with the governors general of the Two Kwangs, the provinces of Fuhkien and Chehkiang or of the Two Kiangs; and whenever he desires to have such correspondence with the Privy Council at the capital he shall have the right to send it through either of the said governors general or by the general post; and all such communications shall be sent under seal, which shall be most carefully respected. The Privy Council and governors general, as the case may be, shall in all cases consider and acknowledge such communications promptly and respectfully.

to visit and sojourn at the capital, &c.

ARTICLE V. The minister of the United States of America in China, whenever he has business, shall have the right to visit and sojourn at the capital of his Majesty, the Emperor of China, and there confer with a member of the Privy Council, or any other high officer of equal rank deputed for that purpose, on matters of common interest and advantage. His visits shall not exceed one in each year, and he shall complete his business without unnecessary delay. He shall be allowed to go by land or come to the mouth of the Peiho, into which he shall not bring ships-of-war, and he shall inform the authorities at that place in order that boats may be provided for him to go on his journey. He is not to take advantage of this stipulation to request visits to the capital on trivial occasions. Whenever he means to proceed to the capital he shall communicate, in writing, his intention to the Board of Rites at the capital, and thereupon the said board shall give the necessary directions to facilitate his journey and give him necessary protection and respect on his way. On his arrival at the capital he shall be furnished with a suitable residence prepared for him, and he shall defray his own expenses; and his entire suite shall not exceed twenty persons, exclusive of his Chinese attendants, none of whom shall be engaged in trade.

Regulations as to visits, &c.

to have the same privileges as the representative of any other nation.

ARTICLE VI. If at any time his Majesty the Emperor of China shall, by treaty voluntarily made, or for any other reason, permit the representative of any friendly nation to reside at his capital for a long or short time, then, without any further consultation or express permission, the representative of the United States in China shall have the same privilege.

Terms of correspondence and communication.

ARTICLE VII. The superior authorities of the United States and of China in corresponding together shall do so on terms of equality and in form of mutual communication, (*chauhwei*.) The consuls and the local officers, civil and military, in corresponding together shall likewise employ the style and form of mutual communication, (*chauhwei*.) When inferior officers of the one government address superior officers of the other they shall do so in the style and form of memorial, (*shin chin*.) Private individuals, in addressing superior officers, shall employ the style of petition, (*pinching*.) In no case shall any terms or style be used or suffered which shall be offensive or disrespectful to either party. And it is agreed that no presents, under any pretext or form whatever, shall ever be demanded of the United States by China, or of China by the United States.

Presents not to be demanded.

Interviews, when to be had.

ARTICLE VIII. In all future personal intercourse between the representative of the United States of America and the governors general or governors, the interviews shall be had at the official residence of the said officers or at their temporary residence, or at the residence of the representative of the United States of America, whichever may be agreed upon between them; nor shall they make any pretext for declining these

interviews. Current matters shall be discussed by correspondence, so as not to give the trouble of a personal meeting.

ARTICLE IX. Whenever national vessels of the United States of America, in cruising along the coast and among the ports*opened for trade for the protection of the commerce of their country or for the advancement of science, shall arrive at or near any of the ports of China, commanders of said ships and the superior local authorities of government shall, if it be necessary, hold intercourse on terms of equality and courtesy, in token of the friendly relations of their respective nations; and the said vessels shall enjoy all suitable facilities on the part of the Chinese government in procuring provisions or other supplies and making necessary repairs. And the United States of America agree that in case of the shipwreck of any American vessel, and its being pillaged by pirates, or in case any American vessel shall be pillaged or captured by pirates on the seas adjacent to the coast, without being shipwrecked, the national vessels of the United States shall pursue the said pirates, and if captured deliver them over for trial and punishment.

Current matters how discussed.
Provisions as to national vessels of the United States.

as to captures, &c., of American vessels by pirates.

ARTICLE X. The United States of America shall have the right to appoint consuls and other commercial agents for the protection of trade, to reside at such places in the dominions of China as shall be agreed to be opened; who shall hold official intercourse and correspondence with the local officers of the Chinese government, (a consul or vice-consul in charge taking rank with an intendant of circuit or a prefect,) either personally or in writing, as occasions may require, on terms of equality and reciprocal respect. And the consuls and local officers shall employ the style of mutual communication. If the officers of either nation are disrespectfully treated or aggrieved in any way by the other authorities, they have the right to make representation of the same to the superior officers of the respective governments, who shall see that full inquiry and strict justice shall be had in the premises. And the said consuls and agents shall carefully avoid all acts of offence to the officers and people of China. On the arrival of a consul duly accredited at any port in China, it shall be the duty of the minister of the United States to notify the same to the governor general of the province where such port is, who shall forthwith recognise the said consul and grant him authority to act.

Consuls, &c., may reside at certain places in China.

Rules of intercourse and correspondence.

ARTICLE XI. All citizens of the United States of America in China, peaceably attending to their affairs, being placed on a common footing of amity and good will with subjects of China, shall receive and enjoy for themselves and everything appertaining to them the protection of the local authorities of government, who shall defend them from all insult or injury of any sort. If their dwellings or property be threatened or attacked by mobs, incendiaries, or other violent or lawless persons, the local officers, on requisition of the consul, shall immediately despatch a military force to disperse the rioters, apprehend the guilty individuals, and punish them with the utmost rigor of the law. Subjects of China guilty of any criminal act towards citizens of the United States shall be punished by the Chinese authorities according to the laws of China; and citizens of the United States, either on shore or in any merchant vessel, who may insult, trouble, or wound the persons or injure the property of Chinese, or commit any other improper act in China, shall be punished only by the consul or other public functionary thereto authorized, according to the laws of the United States. Arrests in order to trial may be made by either the Chinese or the United States authorities.

Citizens of the United States in China to be protected in person and property.

offences by or against how punished.

ARTICLE XII. Citizens of the United States, residing or sojourning at any of the ports open to foreign commerce, shall be permitted to rent houses and places of business, or hire sites on which they can themselves build houses or hospitals, churches and cemeteries. The parties interested can fix the rent by mutual and equitable agreement; the proprietors shall not demand an exorbitant price, nor shall the local authorities interfere, un-

may rent houses, &c., or hire sites and build thereon.

Regulations.

less there be some objections offered on the part of the inhabitants respecting the place. The legal fees to the officers for applying their seal shall be paid. The citizens of the United States shall not unreasonably insist on particular spots, but each party shall conduct with justice and moderation. Any desecration of the cemeteries by natives of China shall be severely punished according to law. At the places where the ships of the United States anchor, or their citizens reside, the merchants, seamen, or others can freely pass and repass in the immediate neighborhood; but, in order to the preservation of the public peace, they shall not go into the country to the villages and marts to sell their goods unlawfully, in fraud of the revenue.

Provisions as to wrecked or stranded vessels of the United States.

ARTICLE XIII. If any vessel of the United States be wrecked or stranded on the coast of China, and be subjected to plunder or other damage, the proper officers of government, on receiving information of the fact, shall immediately adopt measures for its relief and security; the persons on board shall receive friendly treatment, and be enabled to repair at once to the nearest port, and shall enjoy all facilities for obtaining supplies of provisions and water. If the merchant vessels of the United States, while within the waters over which the Chinese government exercises jurisdiction, be plundered by robbers or pirates, then the Chinese local authorities, civil and military, on receiving information thereof, shall arrest the said robbers or pirates, and punish them according to law, and shall cause all the property which can be recovered to be restored to the owners or placed in the hands of the consul. If, by reason of the extent of territory and numerous population of China, it shall in any case happen that the robbers cannot be apprehended, and the property only in part recovered, the Chinese government shall not make indemnity for the goods lost; but if it shall be proved that the local authorities have been in collusion with the robbers, the same shall be communicated to the superior authorities for memorializing the Throne, and these officers shall be severely punished, and their property be confiscated to repay the losses.

as to merchant vessels plundered by pirates.

Ports and cities where citizens of the United States may reside and trade.

ARTICLE XIV. The citizens of the United States are permitted to frequent the ports and cities of Canton and Chau-chau or Swatau, in the province of Kwang-tung, Amoy, Fuh-chau, and Tai-wan, in Formosa, in the province of Fuh-kien, Ningpo, in the province of Cheh-kiang, and Shanghai, in the province of Kiang-su, and any other port or place hereafter by treaty with other powers or with the United States opened to commerce, and to reside with their families and trade there, and to proceed at pleasure with their vessels and merchandise from any of these ports to any other of them. But said vessels shall not carry on a clandestine and fraudulent trade at other ports of China not declared to be legal, or along the coasts thereof; and any vessel under the American flag violating this provision shall, with her cargo, be subject to confiscation to the Chinese government; and any citizen of the United States who shall trade in any contraband article of merchandise shall be subject to be dealt with by the Chinese government, without being entitled to any countenance or protection from that of the United States; and the United States will take measures to prevent their flag from being abused by the subjects of other nations as a cover for the violation of the laws of the Empire.

Penalty for clandestine trade.

trade at such ports.

ARTICLE XV. At each of the ports open to commerce, citizens of the United States shall be permitted to import from abroad, and sell, purchase, and export all merchandise of which the importation or exportation is not prohibited by the laws of the Empire. The tariff of duties to be paid by citizens of the United States, on the export and import of goods from and into China, shall be the same as was agreed upon at the treaty of Wanghia, except so far as it may be modified by treaties with other nations, it being expressly agreed that citizens of the United States shall never pay higher duties than those paid by the most favored nation.

Tariff of duties.

Vol. viii. p. 600.

ARTICLE XVI. Tonnage duties shall be paid on every merchant vessel belonging to the United States entering either of the open ports at the rate of four mace per ton of forty cubic feet, if she be over one hundred and fifty tons burden, and one mace per ton of forty cubic feet, if she be of the burden of one hundred and fifty tons or under, according to the tonnage specified in the register; which, with her other papers, shall, on her arrival, be lodged with the consul, who shall report the same to the commissioner of customs. And if any vessel, having paid tonnage duty at one port, shall go to any other port to complete the disposal of her cargo, or, being in ballast, to purchase an entire, or fill up an incomplete, cargo, the consul shall report the same to the commissioner of customs, who shall note on the port clearance that the tonnage duties have been paid, and report the circumstances to the collectors at the other custom-houses; in which case, the said vessel shall only pay duty on her cargo, and not be charged with tonnage duty a second time. The collectors of customs at the open ports shall consult with the consuls about the erection of beacons or light-houses, and where buoys and light-ships should be placed.

Rate of tonnage duties.
Regulations.

Beacons and light-houses.

ARTICLE XVII. Citizens of the United States shall be allowed to engage pilots to take their vessels into port, and, when the lawful duties have all been paid, take them out of port. It shall be lawful for them to hire at pleasure servants, compradores, linguists, writers, laborers, seamen, and persons for whatever necessary service, with passage or cargo boats, for a reasonable compensation, to be agreed upon by the parties or determined by the consul.

Pilots, seamen, servants, &c.

ARTICLE XVIII. Whenever merchant vessels of the United States shall enter a port, the collector of customs shall, if he see fit, appoint custom-house officers to guard said vessels, who may live on board the ship or their own boats, at their convenience. The local authorities of the Chinese government shall cause to be apprehended all mutineers or deserters from on board the vessels of the United States in China, on being informed by the consul, and will deliver them up to the consuls or other officer for punishment. And if criminals, subjects of China, take refuge in the houses or on board the vessels of citizens of the United States, they shall not be harbored or concealed, but shall be delivered up to justice on due requisition by the Chinese local officers, addressed to those of the United States. The merchants, seamen, and other citizens of the United States shall be under the superintendence of the appropriate officers of their government. If individuals of either nation commit acts of violence or disorder, use arms to the injury of others, or create disturbances endangering life, the officers of the two governments will exert themselves to enforce order and to maintain the public peace, by doing impartial justice in the premises.

Port regulations for merchant vessels.

Deserters, mutineers, and criminals.

ARTICLE XIX. Whenever a merchant vessel belonging to the United States shall cast anchor in either of the said ports, the supercargo, master, or consignee, shall, within forty-eight hours, deposit the ship's papers in the hands of the consul or person charged with his functions, who shall cause to be communicated to the superintendent of customs a true report of the name and tonnage of such vessel, the number of her crew, and the nature of her cargo, which being done, he shall give a permit for her discharge. And the master, supercargo, or consignee, if he proceed to discharge the cargo without such permit, shall incur a fine of five hundred dollars, and the goods so discharged without permit shall be subject to forfeiture to the Chinese government. But if a master of any vessel in port desire to discharge a part only of the cargo, it shall be lawful for him to do so, paying duty on such part only, and to proceed with the remainder to any other ports. Or, if the master so desire, he may, within forty-eight hours after the arrival of the vessel, but not later, decide to depart without breaking bulk; in which case he shall not be subject to pay ton-

Same subject.

Penalty for discharging cargo without permit.

nage or other duties or charges until, on his arrival at another port, he shall proceed to discharge cargo, when he shall pay the duties on vessel and cargo, according to law. And the tonnage duties shall be held due after the expiration of the said forty-eight hours. In case of the absence of the consul or person charged with his functions, the captain or supercargo of the vessel may have recourse to the consul of a friendly power, or, if he please, directly to the superintendent of customs, who shall do all that is required to conduct the ship's business.

Tonnage duties when due.

Provisions as to collection of duties.

ARTICLE XX. The superintendent of customs, in order to the collection of the proper duties, shall, on application made to him through the consul, appoint suitable officers, who shall proceed, in the presence of the captain, supercargo, or consignee, to make a just and fair examination of all goods in the act of being discharged for importation or laden for exportation on board any merchant vessel of the United States. And if disputes occur in regard to the value of goods subject to ad valorem duty, or in regard to the amount of tare, and the same cannot be satisfactorily arranged by the parties, the question may, within twenty-four hours, and not afterwards, be referred to the said consul to adjust with the superintendent of customs.

as to reexportation of merchandise.

ARTICLE XXI. Citizens of the United States who may have imported merchandise into any of the free ports of China, and paid the duty thereon, if they desire to reexport the same in part or in whole to any other of the said ports, shall be entitled to make application, through their consul, to the superintendent of customs, who, in order to prevent fraud on the revenue, shall cause examination to be made, by suitable officers, to see that the duties paid on such goods as are entered on the custom-house books correspond with the representation made, and that the goods remain with their original marks unchanged, and shall then make a memorandum in the port clearance of the goods and the amount of duties paid on the same, and deliver the same to the merchant, and shall also certify the facts to the officers of customs of the other ports; all which being done on the arrival in port of the vessel in which the goods are laden, and everything being found, on examination there, to correspond, she shall be permitted to break bulk and land the said goods without being subject to the payment of any additional duty thereon. But if, on such examination, the superintendent of customs shall detect any fraud on the revenue in the case, then the goods shall be subject to forfeiture and confiscation to the Chinese government. Foreign grain or rice brought into any port of China in a ship of the United States, and not landed, may be reexported without hindrance.

of foreign grain or rice.

Duties when and how to be paid.

ARTICLE XXII. The tonnage duty on vessels of the United States shall be paid on their being admitted to entry. Duties of import shall be paid on the discharge of the goods, and duties of export on the lading of the same. When all such duties shall have been paid, and not before, the collector of customs shall give a port clearance, and the consul shall return the ship's papers. The duties shall be paid to the shroffs authorized by the Chinese government to receive the same. Duties shall be paid and received, either in sycé silver or in foreign money, at the rate of the day. If the consul permits a ship to leave the port before the duties and tonnage dues are paid, he shall be held responsible therefor.

Responsibility of consul.

Transshipment of goods.

ARTICLE XXIII. When goods on board any merchant vessel of the United States in port require to be transhipped to another vessel, application shall be made to the consul, who shall certify what is the occasion therefor to the superintendent of customs, who may appoint officers to examine into the facts and permit the transshipment. And if any goods be transhipped without written permits they shall be subject to be forfeited to the Chinese government.

Debts, how may be collected.

ARTICLE XXIV. Where there are debts due by subjects of China to citizens of the United States, the latter may seek redress in law; and, on suitable representations being made to the local authorities, through the

consul, they will cause due examination in the premises, and take proper steps to compel satisfaction. And if citizens of the United States be indebted to subjects of China, the latter may seek redress by representation through the consul, or by suit in the consular court; but neither government will hold itself responsible for such debts.

ARTICLE XXV. It shall be lawful for the officers or citizens of the United States to employ scholars and people of any part of China, without distinction of persons, to teach any of the languages of the empire, and to assist in literary labors; and the persons so employed shall not for that cause be subject to any injury on the part either of the government or of individuals; and it shall in like manner be lawful for citizens of the United States to purchase all manner of books in China.

Scholars may be employed and books purchased in China.

ARTICLE XXVI. Relations of peace and amity between the United States and China being established by this treaty, and the vessels of the United States being admitted to trade freely to and from the ports of China open to foreign commerce, it is further agreed that, in case at any time hereafter China should be at war with any foreign nation whatever, and should for that cause exclude such nation from entering her ports, still the vessels of the United States shall not the less continue to pursue their commerce in freedom and security, and to transport goods to and from the ports of the belligerent powers, full respect being paid to the neutrality of the flag of the United States: provided, that the said flag shall not protect vessels engaged in the transportation of officers or soldiers in the enemy's service, nor shall said flag be fraudulently used to enable the enemy's ships, with their cargoes, to enter the ports of China; but all such vessels so offending shall be subject to forfeiture and confiscation to the Chinese government.

Trade, with the United States not to be hindered by war between China and other powers.

ARTICLE XXVII. All questions in regard to rights, whether of property or person, arising between citizens of the United States in China, shall be subject to the jurisdiction and regulated by the authorities of their own government; and all controversies occurring in China between citizens of the United States and the subjects of any other government shall be regulated by the treaties existing between the United States and such governments, respectively, without interference on the part of China.

Jurisdiction of offences in China, &c.

ARTICLE XXVIII. If citizens of the United States have special occasion to address any communication to the Chinese local officers of government, they shall submit the same to their consul or other officer, to determine if the language be proper and respectful, and the matter just and right, in which event he shall transmit the same to the appropriate authorities for their consideration and action in the premises. If subjects of China have occasion to address the consul of the United States, they may address him directly at the same time they inform their own officers, representing the case for his consideration and action in the premises; and if controversies arise between citizens of the United States and subjects of China, which cannot be amicably settled otherwise, the same shall be examined and decided conformably to justice and equity by the public officers of the two nations, acting in conjunction. The extortion of illegal fees is expressly prohibited. Any peaceable persons are allowed to enter the court in order to interpret, lest injustice be done.

Communications between citizens of the United States and Chinese local officers.

Controversies between Chinese and citizens of the United States how to be settled.

ARTICLE XXIX. The principles of the Christian religion, as professed by the Protestant and Roman Catholic churches, are recognised as teaching men to do good, and to do to others as they would have others do to them. Hereafter those who quietly profess and teach these doctrines shall not be harassed or persecuted on account of their faith. Any person, whether citizen of the United States or Chinese convert, who, according to these tenets, peaceably teach and practice the principles of Christianity, shall in no case be interfered with or molested.

Toleration of Christians.

ARTICLE XXX. The contracting parties hereby agree that should at any time the Ta-Tsing Empire grant to any nation, or the merchants or

United States to have the privi-

leges of the most favored nation. citizens of any nation, any right, privilege, or favor, connected either with navigation, commerce, political or other intercourse, which is not conferred by this treaty, such right, privilege, and favor shall at once freely enure to the benefit of the United States, its public officers, merchants, and citizens.

Provisions as to ratification.

The present treaty of peace, amity, and commerce shall be ratified by the President of the United States, by and with the advice and consent of the Senate, within one year, or sooner, if possible, and by the august Sovereign of the Ta-Tsing Empire forthwith; and the ratifications shall be exchanged within one year from the date of the signatures thereof.

In faith whereof, we, the respective plenipotentiaries of the United States of America and of the Ta-Tsing Empire, as aforesaid, have signed and sealed these presents.

Signatures, June 18, 1858.

Done at Tientsin this eighteenth day of June, in the year of our Lord one thousand eight hundred and fifty-eight, and the independence of the United States of America the eighty-second, and in the eighth year of Hienfung, fifth month, and eighth day.

WILLIAM B. REED,	[L. s.]
KWEILIANG,	[L. s.]
HWASHANA.	[L. s.]

Ratification.

And whereas the said treaty has been duly ratified on both parts, and the respective ratifications of the same have been exchanged:

Proclamation, January 28th 1863.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, have caused the said treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this twenty-sixth day of January, in the year of our Lord one thousand eight hundred and [L. s.] sixty, and of the independence of the United States the eighty-fourth.

JAMES BUCHANAN.

By the President:

LEWIS CASS, *Secretary of State.*

Treaty between the United States and the Mendawakanton and Wahpakoota Bands of Dakota or Sioux Tribe of Indians. Concluded at Washington, June 19, 1858. Ratified by the Senate March 9, 1859. Proclaimed by the President of the United States, March 31, 1859.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: June 19, 1858.

Preamble.

WHEREAS, a treaty was made and concluded at the city of Washington, on the nineteenth day of June, one thousand eight hundred and fifty-eight, by Charles E. Mix, commissioner on the part of the United States, and the following named chiefs and headmen of the Mendawakanton and Wahpakoota bands of the Dakota or Sioux tribe of Indians, viz.: Wabashaw, Chetanakooamonee, Wasuhiyahidan, Shakopee, Wamindeetonkee, Muzzaonianjan, Tachunrpeemuz-za, Wakinyantowa, Chunrpiyuha, Onkeeterhidan, and Wamouisa, braves, on the part of the Mendawakantons, and Hushawshaw chiefs, and Papa and Tataebomdu, braves, on the part of the Wahpakootas, they being duly authorized and empowered to act for said bands; which treaty is in the words and figures following, to wit:

Contracting parties.

Articles of agreement and convention made and concluded at the city of Washington, on the nineteenth day of June, one thousand eight hundred and fifty-eight, by Charles E. Mix, commissioner, on the part of the United States, and the following named* chiefs and headmen of the Mendawakanton and Wahpakoota bands of the Dakota or Sioux tribe of Indians, viz.: Wabashaw, Chetanakooamonee, Washuhiyahidan, Shakopee, Wamindeetonkee, Muzzaonianjan, and Makawto, chiefs, and Hinhanduta, Ha-raka-Muzza, Wakanojanjan, Tachunrpee-muz-za, Wakinyantowa, Chunrpiyuha, Onkeeterhidan, and Wa-mouisa, braves, on the part of the Mendawakantons, and Hushawshaw, chief, and Pa-Pa and Tataebomdu, braves, on the part of the Wahpakootas, they being duly authorized and empowered to act for said bands.

80 acres of reservation to be allotted to each head of a family or, &c.

Vol. x. p. 954.

ARTICLE I. It is hereby agreed and stipulated that, as soon as practicable after the ratification of this agreement, so much of that part of the reservation or tract of land now held and possessed by the Mendawakanton and Wahpakoota bands of the Dakota or Sioux Indians, and which is described in the third article of the treaty made with them on the fifth day of August, one thousand eight hundred and fifty-one, which lies south or southwestwardly of the Minnesota River, shall constitute a reservation for said bands, and shall be surveyed, and eighty acres thereof, as near as may be in conformity with the public surveys, be allotted in severalty to each head of a family, or single person over the age of twenty-one years, in said bands of Indians, said allotments to be so made as to include a proper proportion of timbered land, if the same be practicable, in each of said allotments. The residue of said part of said reservation not so allotted, shall be held by said bands in common, and as other Indian lands are held: *Provided, however,* That eighty acres thereof, as near as may be, shall, in like manner as above provided for, be allotted to each of the minors of said bands on his or her attaining their majority, or on becom-

Residue to be held in common.

Further allotment.

ing heads of families by contracting marriage, if neither of the parties shall have previously received land.

Expenses of survey and allotments how borne.

All the necessary expenses of the surveys, and allotments thus provided for, shall be defrayed out of the funds of said bands of Indians in the hands of the government of the United States.

Patents to issue to them for said lands.

As the members of said bands become capable of managing their business and affairs, the President of the United States may, at his discretion, cause patents to be issued to them, for the tracts of land allotted to them respectively, in conformity with this article; said tracts to be exempt from levy, taxation, sale or forfeiture, until otherwise provided for by the legislature of the State in which they are situated with the assent of Congress; nor shall they be sold or alienated in fee, or be in any other manner disposed of except to the United States, or to members of said bands.

Lands to be exempt from taxes, &c. and not to be alienated except, &c.

Preamble.

ARTICLE II. Whereas by the treaty with the Mendawakanton and Wahpakoota bands of Sioux Indians, concluded at Mendota on the fifth day of August one thousand eight hundred and fifty-one, said bands retained for their "future occupancy and home," "to be held by them as Indian lands are held, a tract of country of the average width of ten miles on either side of the Minnesota River," extending from Little Rock River to the Tchatamba and Yellow Medicine Rivers, which land was to "be held by said bands in common."

Provisions of treaty of August 5th, 1851,

Vol. x. p. 954.

Amended by the Senate.

And whereas the Senate of the United States so amended said treaty as to strike therefrom the provision setting apart said land as a home for said bands, and made provision for the payment to said bands "at the rate of ten cents per acre for the lands included in the" said tract so reserved and set apart for the "occupancy and home" of said bands, and also provided in addition thereto, that there should be "set apart, by appropriate landmarks and boundaries, such tracts of country without the limits of the cession made by the first article of the" said treaty as should "be satisfactory for their future occupancy and home," said Senate amendment providing also "that the President may, with the consent of these Indians, vary the conditions aforesaid, if deemed expedient;" all of which provisions in said amendment were assented to by said Indians.

Vbl. x. p. 957.

And whereas the President so far varied the conditions of said Senate amendment, as to permit said bands to locate for the time being, upon the tract originally reserved by said bands for a home, and no "tracts of country without the limits of the cession" made in the said treaty *has* [have] ever been provided for, or offered to, said bands:

Act of 1854, ch. 167. Vol. x. p. 326.

And whereas by the "act making appropriations for the current and contingent expenses of the Indian department and for fulfilling treaty stipulations with various Indian tribes," approved July 31, 1854, the President was authorized to confirm to the Sioux of Minnesota forever, the reserve on the Minnesota River now occupied by them, upon such conditions as he may deem just:

Question of title of the bands to certain lands to be submitted to the Senate, and what allowance to be made if decision is in their favor.

And whereas, although the President has not directly confirmed said reserve to said Indians, they claim that as they were entitled to receive "such tracts of country" as should "be satisfactory for their future occupancy and home," and as no such country has been provided for, or offered to, said bands, it is agreed and stipulated that the question shall be submitted to the Senate for decision whether they have such title; and if they have, what compensation shall be made to them for that part of said reservation or tract of land lying on the north side of the Minnesota River — whether they shall be allowed a specific sum of money therefor, and if so, how much; or whether the same shall be sold for their benefit, and if so, how much; or whether the same shall be sold for their benefit, they to receive the proceeds of such sale, deducting the necessary expenses incident thereto. Such sale, if decided in favor of by the Senate, shall be made under and according to regulations to be pre-

TREATY WITH THE MENDAWAKANTON, &c. SIOUX. JUNE 19, 1858. 1033

scribed by the Secretary of the Interior, and in such manner as will secure to them the largest sum it may be practicable to obtain for said land.

ARTICLE III. It is also agreed that if the Senate shall authorize the land designated in article two of this agreement to be sold for the benefit of the said Mendawakanton and Wahpakoota bands, or shall prescribe an amount to be paid said bands for their interest in said tract, provision shall be made by which the chiefs and headmen of said bands may, in their discretion, in open council authorize to be paid out of the proceeds of said tract, such sum or sums as may be found necessary and proper, not exceeding seventy thousand dollars, to satisfy their just debts and obligations, and to provide goods to be taken by said chiefs and headmen to the said bands upon their return: *Provided, however,* That their said determinations shall be approved by the superintendent of Indian affairs for the northern superintendency for the time being, and the said payments be authorized by the Secretary of the Interior.

From proceeds of sale not over \$70,000 may be paid chiefs and headmen.

Proviso

ARTICLE IV. The lands retained and to be held by the members of the Mendawakanton and Wahpakoota bands of the Dakota or Sioux Indians, under and by virtue of the first article of this agreement, shall, to all intents and purposes whatever, be deemed and held to be an Indian reservation; and the laws which have been, or may hereafter be enacted by Congress, to regulate trade and intercourse with the Indian tribes, shall have full force and effect over and within the limits of the same; and no person other than the members of the said bands, to be ascertained and defined under such regulations as the Secretary of the Interior shall prescribe, unless such as may be duly licensed to trade with said bands, or employed for their benefit, or members of the family of such persons, shall be permitted to reside or make any settlement upon any part of said reservation; and the timbered land allotted to individuals, and also that reserved for subsequent distribution as provided in the first article of this agreement, shall be free from all trespass, use, or occupation, except as hereinafter provided.

Lands retained under the first article to be deemed an Indian reservation.

ARTICLE V. The United States shall have the right to establish and maintain upon said reservation such military posts, agencies, schools, mills, shops, roads, and agricultural or mechanical improvements, as may be deemed necessary, but no greater quantity of land or timber shall be taken and used for said purposes than shall be actually requisite therefor. And if in the establishment or maintenance of such posts, agencies, roads or other improvements the timber or other property of any individual Indian shall be taken, injured, or destroyed, just and adequate compensation shall be made therefor by the United States. Roads or highways authorized by competent authority other than the United States, the lines of which shall lie through said reservation, shall have the right of way through the same, upon the fair and just value of such right being paid to the said Mendawakanton and Wahpakoota bands by the party or parties authorizing or interested in the same, to be assessed and determined in such manner as the Secretary of the Interior shall direct.

United States may maintain military posts, roads, &c., on reservation.

Compensation to be made for damages caused thereby to any Indian.

ARTICLE VI. The Mendawakanton and Wahpakoota bands of Dakota or Sioux Indians acknowledge their dependence on the government of the United States, and do hereby pledge and bind themselves to preserve friendly relations with the citizens thereof, and to commit no injuries or depredations on their persons or property, nor on those of the members of any other tribe; but in case of any such injury or depredation, full compensation shall, as far as practicable be made therefor out of their moneys in the hands of the United States; the amount in all cases to be determined by the Secretary of the Interior. They further pledge themselves not to engage in hostilities with the Indians of any other tribe unless in self-defence, but to submit, through their agent, all matters of

The bands to preserve friendly relations, &c.

to pay for depredations.

not to engage in hostilities unless, &c.

Bands to surrender offenders.

dispute and difficulty between themselves and other Indians, for the decision of the President of the United States, and to acquiesce in and abide thereby. They also agree to deliver to the proper officers all persons belonging to their said bands who may become offenders against the treaties, laws, or regulations of the United States, or the laws of the State of Minnesota, and to assist in discovering, pursuing, and capturing all such offenders whenever required so to do by such officers, through the agent or other proper officer of the Indian department.

Annuities to be withheld from those drinking, &c., intoxicating liquors.

ARTICLE VII. To aid in preventing the evils of intemperance, it is hereby stipulated that if any of the members of the said Mendawakanton and Wahpakoota bands of Sioux Indians shall drink, or procure for others, intoxicating liquors, their proportion of the annuities of said bands shall, at the discretion of the Secretary of the Interior, be withheld from them for the period of at least one year; and for a violation of any of the stipulations of this agreement on the part of any members of said bands, the persons so offending shall be liable to have their annuities withheld and to be subject to such other punishment as the Secretary of the Interior may prescribe.

Secretary of Interior to have discretion over manner and objects of annual expenditure.

ARTICLE VIII. Such of the stipulations of former treaties as provided for the payment of particular sums of money to the said Mendawakanton and Wahpakoota bands, or for the application or expenditure of specific amounts for particular objects or purposes, shall be, and hereby are, so amended and changed as to invest the Secretary of the Interior with discretionary power in regard to the manner and objects of the annual expenditure of all such sums or amounts which have accrued and are now due to said bands, together with the amount the said bands shall become annually entitled to under and by virtue of the provisions of this agreement: *Provided*, The said sums or amounts shall be expended for the benefit of said bands at such time or times and in such manner as the said Secretary shall deem best calculated to promote their interests, welfare, and advance in civilization. And it is further agreed, that such change may be made in the stipulations of former treaties which provide for the payment of particular sums for specified purposes, as to permit the chiefs and braves of said bands or any of the subdivisions of said bands, with the sanction of the Secretary of the Interior, to authorize such payment or expenditures of their annuities, or any portion thereof, which are to become due hereafter, as may be deemed best for the general interests and welfare of the said bands or subdivisions thereof.

Senate to decide whether \$10,000 shall be paid to A. J. Campbell.
Vol. vii. pp. 538, 539.

ARTICLE IX. As the Senate struck from the treaty with the Mendawakanton band of Sioux of the twenty-ninth day of September, one thousand eight hundred and thirty-seven, the ninth clause of the second article and the whole of the third article of said treaty, which provided for the payment of four hundred and fifty (450) dollars annually, for twenty years, to Scott Campbell, and confirmed to the said Scott Campbell a title to five hundred (500) acres of land which he then occupied, said payment and land being deemed by said Indians to form a part of the consideration for which they ceded to the United States a certain tract of land in said treaty specified, which reduction, in the consideration for said land, has never been sanctioned by said Indians, the said Mendawakantons and Wahpakoota bands now request that provision be made for the payment of the sum of ten thousand (10,000) dollars to A. J. Campbell, the son of said Scott Campbell, now deceased, in full consideration of the money stipulated to be paid and land confirmed to said Scott Campbell in the original draft of said treaty aforesaid; which subject is hereby submitted to the Senate for its favorable consideration.

United States to pay expenses of negotiation.

ARTICLE X. The expenses attending the negotiation of this agreement shall be defrayed by the United States.

In testimony whereof, the said Charles E. Mix, Commissioner, as aforesaid, and the undersigned chiefs and headmen of the said Mendawakanton and Wahpakoota bands, have hereunto set their hands and seals at the place and on the day first above written.

Signatures,
June 19, 1858.

CHARLES E. MIX, *Commissioner*, [L. s.]

WA-BASH-AW,	his x mark.	[L. s.]
CHE-TAN-A-KOO-A-MO-NEE, (Little Crow,)	his x mark.	[L. s.]
WA-SU-HI-YA-HI-DAN,	his x mark.	[L. s.]
SHA-KO-PEE, (Six,)	his x mark.	[L. s.]
WA-MIN-DEE-TON-KEE, (Large War Eagle,)	his x mark.	[L. s.]
MUZ-ZA-O-JAN-JAN, (Iron Light,)	his x mark.	[L. s.]
MA-KAW-TO, (Blue Earth,)	his x mark.	[L. s.]
HU-SHAW-SHAW, (Red Legs,)	his x mark.	[L. s.]
HIN-HAN-DU-TA, (Scarlet Owl,)	his x mark.	[L. s.]
HA-RAKA-MUZ-ZA, (Iron Elk,)	his x mark.	[L. s.]
WU-KA-NO-JAN-JAN, (Medicine Light,)	his x mark.	[L. s.]
TA-CHUNR-PEE-MUZZA, (His Iron War Club,)	his x mark.	[L. s.]
WA-KIN-YAN-TO-WA, (Owns the Thunder,)	his x mark.	[L. s.]
CHUNR-PI-YOU-HA, (Has a War Club,)	his x mark.	[L. s.]
ON-KEE-TER-HI-DAN, (Little Whale,)	his x mark.	[L. s.]
WA-MO-U-I-SA, (The Thief,)	his x mark.	[L. s.]
PA-PA, (Sharp,)	his x mark.	[L. s.]
TA-TA-I-BOM-DU, (Scattering Wind,)	his x mark.	[L. s.]

Signed, sealed and delivered in presence of—

JOSEPH R. BROWN, *Sioux Agent*,
 A. J. CAMPBELL, *Interpreter*,
 N. R. BROWN,
 A. ROBERTSON,
 JOHN DOWLING,
 JAMES R. ROCHE,
 B. D. HYAM,
 H. J. MYRICK,
 THOS. A. ROBERTSON,
 FR. SCHMIDT.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the ninth day of March, one thousand eight hundred and fifty-nine, advise and consent to the ratification of the same by a resolution in the words and figures following, to wit:

Consent of
Senate,
March 9, 1859.

“IN EXECUTIVE SESSION,
 “SENATE OF THE UNITED STATES, March 9, 1859.

“Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention made and concluded on the 19th day of June, 1858, with the Mendawakanton and Wahpakoota bands of the Dakota or Sioux Indians.

“Attest:

“ASBURY DICKINS, *Secretary*.”

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of March the ninth, one thousand eight hundred and fifty-nine, accept, ratify, and confirm said treaty.

Proclamation,
March 31, 1859.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, having signed the same with my hand.

Done at the city of Washington, this thirty-first day of March,
in the year of our Lord one thousand eight hundred and
[SEAL.] fifty-nine, and of the independence of the United States the
eighty-third.

JAMES BUCHANAN.

By the President :

LEWIS CASS, *Secretary of State.*

Treaty between the United States and the Sisseton and Wahpaton Bands of the Dakota or Sioux Tribe of Indians. Concluded at Washington, June 19, 1858. Ratified by the Senate, March 9, 1859. Proclaimed by the President of the United States, March 31, 1859.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: June 19, 1858.

WHEREAS a treaty was made and concluded, at the city of Washington, on the nineteenth day of June, one thousand eight hundred and fifty-eight, by Charles E. Mix, Commissioner on the part of the United States, and the following named chiefs and headmen of the Sisseton and Wahpaton bands of the Dakota or Sioux tribe of Indians, viz.: Maz-zah-shaw, Wamdupidutah, Ojupi, and Hahutanai, on the part of the Sissetons, and Maz-zomanee, Muz-zakoote-manee, Upiyahideyaw, Umpedutokechaw, and Tachandupahotanka, on the part of the Wahpatons, they being duly authorized and empowered to act for said bands, which treaty is in the words and figures following, to wit:

Preamble.

Articles of agreement and convention made and concluded at the city of Washington, on the nineteenth day of June, one thousand eight hundred and fifty-eight, by Charles E. Mix, Commissioner on the part of the United States, and the following named chiefs and headmen of the Sisseton and Wahpaton bands of the Dakota or Sioux tribe of Indians, viz.: Maz-zah-shaw, Wamdupidutah, Ojupi, and Hahutanai, on the part of the Sissetons, and Maz-zomanee, Muz-zakoote-manee, Upiyahideyaw, Umpedutokechaw, and Tachandupahotanka, on the part of the Wahpatons, they being duly authorized and empowered to act for said bands.

Contracting parties.

ARTICLE I. It is hereby agreed and stipulated that, as soon as practicable after the ratification of this agreement, so much of that part of the reservation or tract of land now held and possessed by the Sisseton and Wahpaton bands of the Dakota or Sioux Indians, and which is described in the third article of the treaty made with them on the twenty-third day of July, one thousand eight hundred and fifty-one, which lies south or southwestwardly of the Minnesota River, shall constitute a reservation for said bands, and shall be surveyed, and eighty acres thereof, as near as may be in conformity with the public surveys, be allotted in severalty to each head of a family or single person over the age of twenty-one years, in said bands of Indians; said allotments to be so made as to include a proper proportion of timbered land, if the same be practicable, in each of said allotments. The residue of said part of said reservation not so allotted shall be held by said bands in common, and as other Indian lands are held: *Provided, however,* That eighty acres thereof, as near as may be, shall in like manner, as above provided for, be allotted to each of the minors of said bands on his or her attaining their majority, or on becoming heads of families, by contracting marriage, if neither of the parties shall have previously received land. All the necessary expenses of the surveys and allotments thus provided for shall be defrayed out of the funds of said bands of Indians in the hands of the government of the United States.

80 acres of reservation to be allotted each head of a family or, &c.
Vol. x. p. 249

Residue to be held in common.

Further allotment.

Expenses of surveys and allotments, how borne.

As the members of said bands become capable of managing their business and affairs, the President of the United States may at his discretion

Patents to issue to them for said lands.

Lands to be exempt from taxes and not to be alienated, except, &c.

cause patents to be issued to them for the tracts of land allotted to them respectively, in conformity with this article; said tracts to be exempt from levy, taxation, sale, or forfeiture, until otherwise provided for by the legislature of the State in which they are situated, with the assent of Congress; nor shall they be sold or alienated in fee, or be in any other manner disposed of, except to the United States or to members of said bands.

Preamble.
Provisions of treaty of July 23, 1861.

ARTICLE II. Whereas, by the treaty with the Sisseton and Wahpaton bands of Sioux Indians, concluded at Traverse des Sioux on the twenty-third day of July, one thousand eight hundred and fifty-one, said bands retained for their "future occupancy and home," "to be held by them as Indian lands are held, all that tract of country on the Minnesota River, from the western boundary" of the cession therein made "east to the Tcha-tam-ba River on the north, and to the Yellow Medicine River on the south side, to extend on each side a distance of not less than ten miles from the general course of said Minnesota River;"

Vol. x. p. 949.

Amended by the Senate.

And whereas the Senate of the United States so amended said treaty as to strike therefrom the provision setting apart the said land as a home for said bands, and made provision for the payment to said bands, "at the rate of ten cents per acre, for the land included in the said tract so retained and set apart for the occupancy and home" of said bands, and also provided, in addition thereto, that there should be "set apart by appropriate landmarks and boundaries such tracts of country without the limits of the cession made by the first article of the said treaty as shall be satisfactory for their future occupancy and home;" said Senate amendment providing also "that the President may, with the consent of these Indians, vary the conditions aforesaid, if deemed expedient;" all of which provisions in said amendment were assented to by said Indians;

Vol. x. p. 951.

And whereas the President so far varied the conditions of said Senate amendment as to permit said bands to locate for the time being upon the tract originally reserved by said bands for a home, and "no tract of country, without the limits of the cession" made in the said treaty, has ever been provided for or offered to said bands;

Provisions of act of 1854, ch. 167.
Vol. x. p. 326.

And whereas, by the act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, approved July 31, 1854, the President was authorized "to confirm to the Sioux of Minnesota, forever, the reserve on the Minnesota River now occupied by them, upon such conditions as he may deem just;" —

Question of title of the bands to certain lands to be submitted to the Senate and what allowance is to be made if the decision is in their favor.

And whereas, although the President has not directly confirmed said reserve to said Indians, they claim that, as they were entitled to receive "such tracts of country" as should "be satisfactory for their future occupancy and home," and as no other country than this reservation was ever provided for or offered to them, and as valuable improvements have been made on said reservation with the moneys belonging to said bands, it is agreed and stipulated that the question shall be submitted to the Senate for decision whether they have such title, and if they have, what compensation shall be made to them for that part of said reservation or tract of land lying on the north side of the Minnesota River; whether they shall be allowed a specific sum of money therefor, and if so, how much; or whether the same shall be sold for their benefit, they to receive the proceeds of such sale, deducting the necessary expenses incident thereto. Such sale, if decided in favor of by the Senate, shall be made under and according to regulations to be prescribed by the Secretary of the Interior, and in such manner as will secure to them the largest sum it may be practicable to obtain for said land.

From proceeds of sale, not over \$70,000 to be

ARTICLE III. It is also agreed that if the Senate shall authorize the land designated in article two of this agreement to be sold for the benefit of the said Sisseton and Wahpaton bands, or shall prescribe an amount

to be paid to said bands for their interest in said tract, provision shall be made by which the chiefs and headmen of said bands may, in their discretion, in open council, authorize to be paid out of the proceeds of said tract such sum or sums as may be found necessary and proper, not exceeding seventy thousand dollars, to satisfy their just debts and obligations, and to provide goods to be taken by said chiefs and headmen to the said bands on their return: *Provided, however,* That their said determinations shall be approved by the superintendent of Indian affairs for the northern superintendency for the time being, and the said payments be authorized by the Secretary of the Interior.

paid chiefs and headmen.

Proviso.

ARTICLE IV. The lands retained and to be held by the members of the Sisseton and Wahpaton bands of Dakota or Sioux Indians, under and by virtue of the first article of this agreement, shall, to all intents and purposes whatever be deemed and held to be an Indian reservation, and the laws which have been or may hereafter be enacted by Congress to regulate trade and intercourse with the Indian tribes, shall have full force and effect over and within the limits of the same; and no person other than the members of said bands, to be ascertained and defined under such regulations as the Secretary of the Interior shall prescribe—unless such as may be duly licensed to trade with said bands, or employed for their benefit, or members of the family of such persons—shall be permitted to reside or make any settlement upon any part of said reservation; and the timbered land allotted to individuals, and also that reserved for subsequent distribution, as provided in the first article of this agreement, shall be free from all trespass, use or occupation, except as hereinafter provided.

Lands retained under the first article to be deemed an Indian reservation.

ARTICLE V. The United States shall have the right to establish and maintain upon said reservation such military posts, agencies, schools, mills, shops, roads, and agricultural or mechanical improvements as may be deemed necessary; but no greater quantity of land or timber shall be taken and used for said purposes than shall be actually requisite therefor. And if in the establishment or maintenance of such posts, agencies, roads, or other improvements, the timber or other property of any individual Indian shall be taken, injured, or destroyed, just and adequate compensation shall be made therefor by the United States. Roads or highways authorized by competent authority other than the United States, the lines of which shall lie through said reservation, shall have the right of way through the same upon the fair and just value of such right being paid to the said Sisseton and Wahpaton bands by the party or parties authorizing or interested in the same, to be assessed and determined in such manner as the Secretary of the Interior shall direct.

United States may maintain military posts, roads, &c., in reservation.

Compensation to be paid for damages caused thereby to any Indian.

ARTICLE VI. The Sisseton and Wahpaton bands of Dakota or Sioux Indians acknowledge their dependence on the government of the United States, and do hereby pledge and bind themselves to preserve friendly relations with the citizens thereof, and to commit no injuries or depredations on their persons or property, nor on those of the members of any other tribe; but in case of any such injury or depredation, full compensation shall, as far as practicable, be made therefor out of their moneys in the hands of the United States, the amount in all cases to be determined by the Secretary of the Interior. They further pledge themselves not to engage in hostilities with the Indians of any other tribe, unless in self-defence, but to submit, through their agent, all matters of dispute and difficulty between themselves and other Indians for the decision of the President of the United States, and to acquiesce in and abide thereby. They also agree to deliver to the proper officers all persons belonging to their said bands who may become offenders against the treaties, laws, or regulations of the United States, or the laws of the State of Minnesota, and to assist in discovering, pursuing, and capturing all such offenders whenever required so to do by such officers, through the agent or other proper officer of the Indian department.

The bands to preserve friendly relations.

to pay for depredations.

not to engage in hostilities, except, &c.

to surrender offenders.

Annuities to be withheld from those drinking, &c., intoxicating liquors.

ARTICLE VII. To aid in preventing the evils of intemperance, it is hereby stipulated that if any of the members of the said Sisseton and Wahpaton bands of Sioux Indians shall drink or procure for others intoxicating liquors, their proportion of the annuities of said bands shall, at the discretion of the Secretary of the Interior, be withheld from them for the period of at least one year; and for a violation of any of the stipulations of this agreement on the part of any member of said bands, the persons so offending shall be liable to have their annuities withheld, and to be subject to such other punishment as the Secretary of the Interior may prescribe.

Members of the bands may dissolve tribal connections, &c.

ARTICLE VIII. Any members of said Sisseton and Wahpaton bands who may be desirous of dissolving their tribal connection and obligations, and of locating beyond the limits of the reservation provided for said bands, shall have the privilege of so doing, by notifying the United States agent of such intention, and making an actual settlement beyond the limits of said reservation; shall be vested with all the rights, privileges, and immunities, and be subject to all the laws, obligations, and duties, of citizens of the United States; but such procedure shall work no forfeiture on their part of the right to share in the annuities of said bands.

Secretary of Interior to have discretion over manner and objects of annual expenditure.

ARTICLE IX. Such of the stipulations of former treaties as provide for the payment of particular sums of money to the said Sisseton and Wahpaton bands, or for the application or expenditure of specific amounts for particular objects or purposes, shall be, and hereby are, so amended and changed as to invest the Secretary of the Interior with discretionary power in regard to the manner and objects of the annual expenditure of all such sums or amounts which have accrued and are now due to said bands, together with the amount the said bands shall become annually entitled to under and by virtue of the provisions of this agreement: *Provided*, The said sums or amounts shall be expended for the benefit of said bands at such time or times and in such manner as the said Secretary shall deem best calculated to promote their interests, welfare, and advance in civilization. And it is further agreed that such change may be made in the stipulations of former treaties, which provide for the payment of particular sums for specified purposes, as to permit the chiefs and braves of said bands, or any of the subdivisions of said bands, with the sanction of the Secretary of the Interior, to authorize such payment or expenditure of their annuities, or any portion thereof, which are to become due hereafter, as may be deemed best for the general interests and welfare of the said bands or subdivisions thereof.

United States to pay expenses of negotiation.

ARTICLE X. The expenses attending the negotiation of this agreement shall be defrayed by the United States.

Signatures, June 19, 1858.

In testimony whereof, the said Charles E. Mix, Commissioner, as aforesaid, and the undersigned chiefs and headmen of the said Sisseton and Wahpaton bands, have hereunto set their hands and seals at the place and on the day first above written.

CHARLES E. MIX, *Commissioner*. [SEAL.]

MUZ-ZAH-SHAW, (Red Iron,)	his x mark.	[SEAL.]
WAM-DU-PI-DU-TAH, (War Eagle's Scarlet Tail,)	his x mark.	[SEAL.]
OJUPI, (The Planter,)	his x mark.	[SEAL.]
HA-HU-TA-NAI, (The Stumpy Horn,)	his x mark.	[SEAL.]
MAZ-ZO-MA-NEE, (Walking Iron,)	his x mark.	[SEAL.]
MAZ-ZA-KOOTE-MANEE, (Shoots Iron as he Walks,)	his x mark.	[SEAL.]
UPI-YA-HI-DE-YAW, (Chief of Lac qui Parle,)	his x mark.	[SEAL.]
UMPE-DU-TO-KE-CHAW, (Other Day,)	his x mark.	[SEAL.]

TA-CHAN-DU-PA-HO-TAN-KA, (His
Pipe with Strong Voice,)

his x mark. [SEAL.]

Signed, sealed and delivered in presence of—

JOSEPH R. BROWN, *Sioux Agent*,
A. J. CAMPBELL, *Interpreter*,
A. ROBERTSON,
JOHN DOWLING,
N. R. BROWN,
FRIEDRICH SCHMIDT,
M. SMITSER,
B. D. HYAM,
P. F. WOOD,
CHARLES CRAWFORD,
JAMES R. ROCHE.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the ninth day of March, one thousand eight hundred and fifty-nine, advise and consent to the ratification of its articles by a resolution in the words and figures following, to wit:

Consent of
Senate, March
9, 1859.

“IN EXECUTIVE SESSION,

“SENATE OF THE UNITED STATES, March 9, 1859.

“Resolved, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention made and concluded on the 19th day of June, 1858, with the Sisseeton and Wahpaton bands of the Dakotah or Sioux Indians.

“Attest:

“ASBURY DICKINS, *Secretary*.”

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of March ninth, one thousand eight hundred and fifty-nine, accept, ratify, and confirm said treaty.

Proclamation,
March 31, 1859.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, having signed the same with my hand.

Done at the city of Washington, this thirty-first day of March,
in the year of our Lord one thousand eight hundred and fifty-
[SEAL.] nine, and of the independence of the United States the eighty-
third.

JAMES BUCHANAN.

By the President:

LEWIS CASS, *Secretary of State*.

RESOLUTION OF THE SENATE OF THE UNITED STATES.

Right and Title of certain Bands of Sioux Indians, to lands embraced in Reservations on the Minnesota River.

IN THE SENATE OF THE UNITED STATES,
JUNE 27th, 1860.

Preamble.

Ante, Treaties,
pp. 80, 86.

WHEREAS by the second articles of the treaties of June 19, 1858, with the Med-a-wa-kanton and Wah-pa-koo-ta, and the Sisseton and Wah-pa-ton bands of the Dacotah or Sioux Indians, it is submitted to the Senate to decide as to the right or title of said bands of Indians to the lands embraced in the reservations occupied by them on the Minnesota River, in the State of Minnesota, and what compensation shall be made to them for those portions of said reservations lying on the north side of that river, which they agreed by said treaties to surrender and relinquish to the United States; "whether they shall be allowed a specified sum in money therefor, and if so, how much, or whether the same shall be sold for their benefit, they to receive the proceeds of such sale, deducting the necessary expenses incident thereto;" and whereas said Indians were permitted to retain and occupy said reservations in lieu of other lands which they were entitled to under the amendments of the Senate to the treaties made with them in the year 1851, and large amounts of the money of said Indians have been expended by the government in improvements and otherwise upon the lands contained in said reservations; and whereas by act of Congress of July 31, 1854, said reservations were authorized to be confirmed to those Indians:

Vol. x. p. 957.

1854, ch. 167.
Vol. x. p. 326.

Right of Indians determined, and allowance to them.

Resolved, That said Indians possessed a just and valid right and title to said reservations, and that they be allowed the sum of thirty cents per acre for the lands contained in that portion thereof lying on the north side of the Minnesota River, exclusive of the cost of survey and sale, or any contingent expense that may accrue whatever, which by the treaties of June, 1858, they have relinquished and given up to the United States,—

Settlers in good faith on said reservations, may preempt, &c.

Resolved, further, That all persons who have in good faith settled and made improvements upon any of the lands contained in said reservations, believing the same to be government lands, shall have the right of preemption to one hundred and sixty acres thereof, to include their improvements, on paying the sum of one dollar and twenty-five cents per acre therefor: *Provided*, That when such settlements have been made on the lands of the Indians on the south side of the Minnesota River, the assent of the Indians shall first be obtained, in such manner as the Secretary of the Interior shall prescribe, and that the amount which shall be so paid for their lands, shall be paid into the treasury of the United States.

Proviso.

Attest:

ASBURY DICKINS, *Secretary*.

Convention between the United States of America and His Majesty the King of the Belgians. Concluded at Washington, July 17, 1858. Ratified, April 13, 1859. Ratifications exchanged, April 16, 1859. Proclaimed by the President of the United States, April 19, 1859.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: July 17, 1858.

A PROCLAMATION.

WHEREAS a convention between the United States of America and his Majesty the King of the Belgians was concluded and signed by their respective plenipotentiaries at Washington, on the 17th day of July last, which convention, being in the English and French languages, is word for word as follows:—

Preamble.

The United States of America on the one part, and his Majesty the King of the Belgians on the other part, wishing to regulate in a formal manner their reciprocal relations of commerce and navigation, and further to strengthen, through the development of their interests, respectively, the bonds of friendship and good understanding so happily established between the governments and people of the two countries; and desiring with this view to conclude, by common agreement, a treaty establishing conditions equally advantageous to the commerce and navigation of both States, have to that effect appointed as their plenipotentiaries, namely: The President of the United States, Lewis Cass, Secretary of State of the United States, and his Majesty the King of the Belgians, Mr. Henri Bosch Spencer, decorated with the Cross of Iron, Chevalier of the Order of Leopold, Chevalier of the Polar Star, his Chargé d'Affaires in the United States, who, after having communicated to each other their full powers, ascertained to be in good and proper form, have agreed to and concluded the following articles:—

Sa Majesté le Roi des Belges, d'une part, et les Etats-Unis d'Amérique, d'autre part, voulant régler d'une manière formelle les relations réciproques de commerce et de navigation, et fortifier de plus en plus, par le développement des intérêts respectifs, les liens d'amitié et de bonne intelligence si heureusement établis entre les deux gouvernements et les deux peuples; désirant, dans ce but, arrêter de commun accord un traité stipulant des conditions également avantageuses au commerce et à la navigation des deux états, ont, à cet effet, nommé pour leurs plenipotentiaries, savoir: Sa Majesté le Roi des Belges, le Sieur Henri Bosch Spencer, décoré de la Croix de Fer, Chevalier de l'Ordre Léopold, Chevalier de l'Etoile Polaire, son Chargé d'Affaires aux Etats-Unis, et le Président des Etats-Unis, Lewis Cass, Secrétaire d'Etat des Etats-Unis, lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, ont arrêté et conclu les articles suivants:

Contracting parties.

Negotiators

ARTICLE I.

There shall be full and entire freedom of commerce and navigation

ARTICLE I.

Il y aura pleine et entière liberté de commerce et de navigation entre

Commerce and navigation.

Privileges, &c. between the inhabitants of the two countries, and the same security and protection which is enjoyed by the citizens or subjects of each country shall be guaranteed on both sides. The said inhabitants, whether established or temporarily residing within any ports, cities, or places whatever of the two countries, shall not, on account of their commerce or industry, pay any other or higher duties, taxes, or imposts than those which shall be levied on citizens or subjects of the country in which they may be; and the privileges, immunities, and other favors, with regard to commerce or industry, enjoyed by the citizens or subjects of one of the two States, shall be common to those of the other.

ARTICLE II.

Belgian vessels in the United States not to pay higher duties than, &c.

Belgian vessels, whether coming from a Belgian or a foreign port, shall not pay, either on entering or leaving the ports of the United States, whatever may be their destination, any other or higher duties of tonnage, pilotage, anchorage, buoys, light-houses, clearance, brokerage, or generally other charges whatsoever, than are required from vessels of the United States in similar cases. This provision extends not only to duties levied for the benefit of the State, but also to those levied for the benefit of provinces, cities, countries, districts, townships, corporations, or any other division or jurisdiction, whatever may be its designation.

ARTICLE III.

Vessels of the United States in Belgium not to pay higher duties than, &c.

Reciprocally, vessels of the United States, whether coming from a port of said States or from a foreign port, shall not pay, either on entering or leaving the ports of Belgium, whatever may be their destination, any other or higher duties of tonnage, pilotage, anchorage, buoys, light-houses, clearance, brokerage, or generally other charges whatever, than are required from Belgian vessels in similar cases. This provision extends not only to duties levied for the benefit of the State, but also to

les habitants des deux pays, et la même sécurité et protection dont jouissent les nationaux, seront garanties des deux parts. Ces habitants ne paieront point, à raison de leur commerce ou de leur industrie, dans les ports, villes, ou lieux quelconques des deux états, soit qu'ils s'y établissent, soit qu'ils y résident temporairement, des droits, taxes, ou impôts autres ou plus élevés que ceux qui se percevront sur les nationaux; et les privilèges, immunités, et autres faveurs, dont jouissent en matière de commerce ou d'industrie les citoyens ou sujets de l'un des deux états, seront communs à ceux de l'autre.

ARTICLE II.

Les navires Belges, venant d'un port Belge ou d'un port étranger, ne paieront point à leur entrée dans les ports des Etats-Unis, ou à leur sortie, quelle que soit leur destination, d'autres ni de plus forts droits de tonnage, de pilotage, d'anchorage, de balisage, de feux et de fanaux, d'expédition et de courtage, ni généralement d'autres charges que celles exigées des bâtiments de l'Union dans les mêmes cas. Ce qui précède s'entend, non seulement des droits perçus au profit de l'état, mais encore de tous droits perçus au profit des provinces, villes, arrondissements, communes, juridictions, corporations, etc., sous quelque terme qu'elles puissent être désignées.

ARTICLE III.

Réciproquement, les navires des Etats-Unis, venant d'un port national ou d'un port étranger, ne paieront point à leur entrée dans les ports de Belgique ou à leur sortie, quelle que soit leur destination, d'autres ni de plus forts droits de tonnage, de pilotage, d'anchorage, de balisage, de feux et de fanaux, d'expédition et de courtage, ni généralement d'autres charges, que celles exigées des bâtiments Belges dans les mêmes cas. Ce qui précède s'entend non seulement des droits perçus au profit de

those levied for the benefit of provinces, cities, countries, districts, townships, corporations, or any other division or jurisdiction, whatever may be its designation.

ARTICLE IV.

Steam-vessels of the United States and of Belgium, engaged in regular navigation between the United States and Belgium, shall be exempt in both countries from the payment of duties of tonnage, anchorage, buoys, and light-houses.

ARTICLE V.

As regards the coasting-trade between the ports of either country, the vessels of the two nations shall be treated on both sides on the same footing with the vessels of the most favored nations.

ARTICLE VI.

Objects of any kind soever introduced into the ports of either of the two States under the flag of the other, whatever may be their origin and from what country soever the importation thereof may have been made, shall not pay other or higher entrance-duties, nor shall be subjected to other charges or restrictions, than they would pay, or be subjected to, were they imported under the national flag.

ARTICLE VII.

Articles of every description exported by Belgian vessels, or by those of the United States of America, from the ports of either country to any country whatsoever, shall be subjected to no other duties or formalities than such as are required for exportation under the flag of the country where the shipment is made.

ARTICLE VIII.

All premiums, drawbacks, or other favors of like nature, which may be allowed in the States of either of the contracting parties upon goods imported or exported in national ves-

l'état, mais encore de tous droits perçus au profit des provinces, villes, arrondissements, communes, juridictions, corporations, etc., sous quelque terme qu'elles puissent être désignées.

ARTICLE IV.

Les bateaux à vapeur Belges et des Etats-Unis, faisant un service régulier de navigation entre la Belgique et les Etats-Unis, seront exemptés, dans l'un et l'autre pays, du paiement des droits de tonnage, d'ancre, de balisage, de feux et de fanaux.

Steam-vessels of both countries exempt from certain duties.

ARTICLE V.

En ce qui concerne l'exercice du cabotage, (commerce de port à port,) les navires des deux nations seront traités, de part et d'autre, sur le même pied que les navires des nations les plus favorisées.

Coasting-trade.

ARTICLE VI.

Les objets de toute nature importés dans les ports de l'un des deux états, sous pavillon de l'autre, quelle que soit leur origine et de quelque pays qu'ait lieu l'importation, ne paieront d'autres ni de plus forts droits d'entrée, et ne seront assujétis à d'autres charges ou restrictions que s'ils étaient importés sous pavillon national.

Duties on same imports to be the same if imported under either flag.

ARTICLE VII.

Les objets de toute nature quelconque exportés par navires Belges ou par ceux des Etats-Unis d'Amérique des ports de l'un ou de l'autre de ces états vers quelque pays que ce soit, ne seront assujétis à des droits ou à des formalités autres que ceux exigés pour l'exportation par pavillon national.

Export duties.

ARTICLE VIII.

Les primes, restitutions, au autres faveurs de cette nature, qui pourraient être accordées dans les états des deux parties contractantes, sur des marchandises importées ou ex-

Premiums, drawbacks, &c.

sels, shall be likewise, and in the same manner, allowed upon goods imported directly from one of the two countries by its vessels into the other, or exported from one of the two countries by the vessels of the other to any destination whatsoever.

ARTICLE IX.

Provisions as to premiums, drawbacks, &c., not to apply to salt.

The preceding article is, however, not to apply to the importation of salt, and of the produce of the national fisheries; each of the two parties reserving to itself the faculty of granting special privileges for the importation of those articles under its own flag.

ARTICLE X.

What to be esteemed Belgian vessels, and what vessels of the United States.

The high contracting parties agree to consider and to treat as Belgian vessels, and as vessels of the United States, all those which being provided by the competent authority with a passport, sea-letter, or any other sufficient document, shall be recognized, conformably with existing laws, as national vessels in the country to which they respectively belong.

ARTICLE XI.

Vessels may retain parts of their cargoes on board, when, &c.

Belgian vessels and those of the United States may, conformably with the laws of the two countries, retain on board, in the ports of both, such parts of their cargoes as may be destined for a foreign country; and such parts shall not be subjected, either while they remain on board or upon re-exportation, to any charges whatsoever, other than those for the prevention of smuggling.

ARTICLE XII.

Provisions as to duties on goods warehoused.

During the period allowed by the laws of the two countries respectively for the warehousing of goods, no duties, other than those of watch and storage, shall be levied upon articles brought from either country into the other while awaiting transit, re-exportation, or entry for consumption. Such goods shall in no case be sub-

portées par des navires nationaux, seront aussi, et de la même manière, accordées aux marchandises importées directement de l'un des deux pays sur ses navires dans l'autre, ou exportées de l'un des deux pays, par les navires de l'autre, vers quelque destination que ce soit.

ARTICLE IX.

Il est néanmoins dérogé aux dispositions qui précèdent pour l'importation du sel et des produits de la pêche nationale; les deux pays se réservant la faculté d'accorder aux importations de ces articles par pavillon national des privilèges spéciaux.

ARTICLE X.

Les hautes parties contractantes conviennent de considérer et de traiter comme navires Belges, et comme navires des Etats-Unis, tous ceux qui, étant pourvus par l'autorité compétente d'un passeport, d'une lettre de mer ou de tout autre document suffisant, seront, d'après les lois existantes, reconnus comme nationaux dans le pays auquel ils appartiennent respectivement.

ARTICLE XI.

Les navires Belges et ceux des Etats-Unis pourront, conformément aux lois des deux pays, conserver à leur bord, dans les ports de l'un et de l'autre état, les parties de cargaison qui seraient destinées pour un pays étranger; et ces parties, pendant leur séjour à bord, ou lors de leur ré-exportation, ne seront astreintes à aucuns droits quelconques, autres que ceux de surveillance.

ARTICLE XII.

Pendant le temps fixé par les lois des deux pays respectivement pour l'entreposage des marchandises, il ne sera perçu aucuns droits autres que ceux de garde et d'emmagasinage sur les objets importés de l'un des pays dans l'autre en attendant leur transit, leur ré-exportation ou leur mise en consommation. Ces

ject to higher warehouse-charges, or to other formalities, than if they had been imported under the flag of the country.

ARTICLE XIII.

In all that relates to duties of customs and navigation, the two high contracting parties promise, reciprocally, not to grant any favor, privilege, or immunity to any other State which shall not instantly become common to the citizens and subjects of both parties respectively; gratuitously, if the concession or favor to such other State is gratuitous, and on allowing the same compensation, or its equivalent, if the concession is conditional.

Neither of the contracting parties shall lay upon goods proceeding from the soil or the industry of the other party, which may be imported into its ports, any other or higher duties of importation or re-exportation than are laid upon the importation or re-exportation of similar goods coming from any other foreign country.

ARTICLE XIV.

In cases of shipwreck, damages at sea, or forced putting in, each party shall afford to the vessels of the other, whether belonging to the State or to individuals, the same assistance and protection, and the same immunities, which would have been granted to its own vessels in similar cases.

ARTICLE XV.

It is moreover agreed between the two contracting parties, that the consuls and vice-consuls of the United States in the ports of Belgium, and reciprocally, the consuls and vice-consuls of Belgium in the ports of the United States, shall continue to enjoy all the privileges, protection, and assistance usually granted to them, and which may be necessary for the proper discharge of their functions. The said consuls and vice-consuls may cause to be arrested

objets, dans aucun cas, ne paieront de plus forts droits d'entrepôt et ne seront assujétis à d'autres formalités que s'ils avaient été importés par pavillon national.

ARTICLE XIII.

En tout ce qui concerne les droits de douane et de navigation, les deux hautes parties contractantes se promettent réciproquement de n'accorder aucune faveur, privilège, ou immunité à un autre état, qui ne soit aussi et à l'instant étendu à leurs sujets ou citoyens respectifs, gratuitement si la concession en faveur de l'autre état est gratuite, et en donnant la même compensation ou l'équivalent si la concession est conditionnelle.

Ni l'une ni l'autre des parties contractantes n'imposeront sur les marchandises provenant du sol ou de l'industrie de l'autre partie, qui seront importées dans ses ports, d'autres ni de plus forts droits d'importation ou de ré-exportation, que ceux qui seront imposés sur l'importation ou la ré-exportation de marchandises similaires provenant de tout autre pays étranger.

ARTICLE XIV.

En cas de naufrage, de dommage en mer, ou de relâche forcée, chaque partie accordera aux navires, soit de l'état ou des particuliers de l'autre pays, la même assistance et protection et les mêmes immunités que celles qui seraient accordées à ses propres navires dans les mêmes cas.

ARTICLE XV.

Il est, en outre, convenu entre les deux parties contractantes, que les consuls et vice consuls des États-Unis dans les ports de Belgique, et réciproquement les consuls et vice consuls de Belgique dans les ports des États-Unis, continueront à jouir de tous les privilèges et de toute la protection et assistance, qui leur sont ordinairement accordés et qui peuvent être nécessaires pour remplir convenablement leurs fonctions. Les dits consuls et vice consuls pourront

Each State to have privilege of most favored nation.

Similar duties to be laid on certain similar goods.

Provisions as to help in shipwrecks, &c.

Privileges of consuls, vice-consuls, &c.

Deserters.

and sent back, either to their vessels or to their country, such seamen as may have deserted from the vessels of their nation. To this end they shall apply in writing to the competent local authorities, and they shall prove, by exhibition of the vessel's crew-list or other document, or if she shall have departed, by copy of said documents, duly certified by them, that the seamen whom they claim formed part of the said crew. Upon such demand, thus supported, the delivery of the deserters shall not be refused. They shall, moreover, receive all aid and assistance in searching for, seizing, and arresting such deserters, who shall, upon the requisition and at the expense of the consul or vice-consul, be confined and kept in the prisons of the country until he shall have found an opportunity for sending them home. If, however, such an opportunity should not occur within three months after the arrest, the deserters shall be set at liberty, and shall not again be arrested for the same cause. It is, however, understood that seamen of the country in which the desertion shall occur are excepted from these provisions, unless they be naturalized citizens or subjects of the other country.

ARTICLE XVI.

Transit duty.

Articles of all kinds, the transit of which is allowed in Belgium, coming from or going to the United States, shall be exempt from all transit duty in Belgium, when the transportation through the Belgian territory is effected on the railroads of the State.

ARTICLE XVII.

This treaty to be in force for ten years, &c.

The present treaty shall be in force during ten years from the date of the exchange of the ratifications, and until the expiration of twelve months after either of the high contracting parties shall have announced to the other its intention to terminate the operation thereof; each party reserving to itself the right of making such declaration to the other at the end of the ten years above men-

faire arrêter et renvoyer soit a bord, soit dans leur pays, les marins qui auraient déserté des bâtiments de leur nation. A cet effet, ils s'adresseront par écrit aux autorités locales compétentes et justifieront par l'exhibition du rôle d'équipage ou des registres du bâtiment, ou, si le bâtiment était parti, par copie des dites pièces, dûment certifiée par eux, que les hommes qu'ils réclament faisaient partie du dit équipage. Sur cette demande, ainsi justifiée, la remise ne pourra leur être refusée. Il leur sera donné, de plus, toute aide et assistance pour la recherche, saisie, et arrestation des dits déserteurs, qui seront même détenus et gardés dans les prisons du pays, à la réquisition et aux frais du consul ou vice consul, jusqu'à ce qu'il ait trouvé une occasion de les renvoyer chez eux. Si pourtant cette occasion ne se présentait pas dans un délai de trois mois, à compter du jour de l'arrestation, les déserteurs seront mis en liberté et ne pourront plus être arrêtés pour la même cause. Il est entendu, néanmoins, que les marins du pays où la désertion aura lieu sont exceptés de la présente disposition à moins qu'ils ne soient naturalisés sujets ou citoyens de l'autre pays.

ARTICLE XVI.

Les objets de toute nature dont le transit est permis en Belgique, venant des Etats-Unis ou expédiés vers ce pays, seront exempts de tout droit de transit en Belgique, lorsque le transport sur le territoire Belge se fera par les chemins de fer de l'état.

ARTICLE XVII.

Le présent traité sera en vigueur pendant dix ans, à dater du jour de l'échange des ratifications, et au-delà de ce terme, jusqu'à l'expiration de douze mois après que l'une des hautes parties contractantes aura annoncé à l'autre son intention d'en faire cesser les effets; chacune d'elles se réservant le droit de faire à l'autre une telle déclaration à l'expiration des dix ans sus-mentionnés;

tioned; and it is agreed that after the expiration of the twelve months of prolongation accorded on both sides, this treaty and all its stipulations shall cease to be in force.

ARTICLE XVIII.

This treaty shall be ratified, and the ratifications shall be exchanged at Washington, within the term of nine months after its date, or sooner if possible.

In faith whereof, the respective plenipotentiaries have signed the present treaty, in duplicate, and have affixed thereto their seals, at Washington, the seventeenth of July, eighteen hundred and fifty-eight.

LEW. CASS. [L. s.]
H. BOSCH SPENCER. [L. s.]

et il est convenu, qu'après les douze mois de prolongation, accordés de part et d'autre, ce traité et toutes les stipulations qu'il renferme cesseront d'être obligatoires.

ARTICLE XVIII.

Ce traité sera ratifié et les ratifications seront échangées à Washington, dans le terme de neuf mois après sa date, ou plutôt si faire se peut. Ratifications, when to be exchanged.

En foi de quoi, les plénipotentiaires respectifs ont signé le présent traité par duplicata, et y ont apposé leurs sceaux à Washington, le dix-sept Juillet, mil huit cent cinquante huit.

H. BOSCH SPENCER. [L. s.]
LEW. CASS. [L. s.]

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged in the city of Washington, on the 16th instant, by Lewis Cass, Secretary of State of the United States, and Henry W. T. Mali, consul-general of Belgium in the United States, on the part of their respective governments: Ratifications exchanged, April 16, 1859.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, have caused the said convention to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof. Proclamation April 19, 1859.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the city of Washington, this nineteenth day of April, in the year of our Lord one thousand eight hundred and [SEAL.] fifty-nine, and of the independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President:
LEWIS CASS, *Secretary of State.*

Treaty between the United States of America and the Empire of Japan. (Amity and Commerce.) Concluded at the City of Yedo, July 29, 1858. Ratified by President of the United States, April 12, 1860. Exchanged at City of Washington May 22, 1860. Proclaimed by President of United States, May 23, 1860.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: July 29, 1858.

A PROCLAMATION.

WHEREAS a treaty of amity and commerce between the United States and the Empire of Japan was concluded and signed by their respective plenipotentiaries at the City of Yedo, on the twenty-ninth day of July, one thousand eight hundred and fifty-eight, which treaty is word for word as follows :

The President of the United States of America and his Majesty the Ty-Coon of Japan, desiring to establish on firm and lasting foundations the relations of peace and friendship now happily existing between the two countries, and to secure the best interest of their respective citizens and subjects by encouraging, facilitating, and regulating their industry and trade, have resolved to conclude a treaty of amity and commerce for this purpose, and have, therefore, named as their plenipotentiaries, that is to say: The President of the United States, his excellency Townsend Harris, Consul General of the United States of America for the Empire of Japan, and his Majesty the Ty-Coon of Japan, their excellencies Ino-oo-ye, Prince of Sinano, and Iwasay, Prince of Hego, who, after having communicated to each other their respective full powers, and found them to be in good and due form, have agreed upon and concluded the following articles : —

ARTICLE I.

There shall henceforward be perpetual peace and friendship between the United States of America and his Majesty the Ty-Coon of Japan and his successors.

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De President der Vereenigde Staten van Amerika, en Zyne Majesteit de Taikoen van Japan, de nu, gelukkiglyk tusschen beide landen bestaande betrekkingen van vrede en vriendschap, op vaste en duurzame grondslagen wenshende daarte stellen, en de beste belangen Hunner wederzydsche burgers en onderdanen te verzekeren, door hunne nyverheid en handel aan te moedigen, te vergemakkelyken en te regelen, hebben besloten een tractaat van vriendschap en handel tot dat einde te sluiten, endaar toe als Hunne Gevolmagtigden benoemd, te weten :

De President der Vereenigde Staten, Zyne Excellentie Townsend Harris, Consul Generaal der Vereenigde Staten van Amerika, voor het Japansche Ryk, en Zyne Majesteit de Taikoen van Japan, Hunne Excellentien Inowoeje, Prinz van Sinano, en Iwasee, Prinz van Higo, die na elkander hunne wederzydsche volmagten, te hebben medegedeeld en dezelve in goeden en behoorlyken, vorm bevonden, overeengekomen en gesloten hebben, de volgende artikelen :

EERSTE ARTIKEL.

Er zal van nu af aan immerdurende vrede en vriendschap zyn, tusschen de Vereenigde Staten van Amerika, en Zyne Majesteit den Taikoen van Japan en Hoogstdeszelfs Opvolgers.

Contracting parties.

Amity, &c.

Diplomatic agents of United States may reside at Yedo, &c.

The President of the United States may appoint a diplomatic agent to reside at the city of Yedo, and consuls or consular agents to reside at any or all of the ports in Japan which are opened for American commerce by this treaty. The diplomatic agent and consul-general of the United States shall have the right to travel freely in any part of the empire of Japan from the time they enter on the discharge of their official duties.

of Japan at Washington, &c.

The government of Japan may appoint a diplomatic agent to reside at Washington, and consuls or consular agents for any or all of the ports of the United States. The diplomatic agent and consul-general of Japan may travel freely in any part of the United States from the time they arrive in the country.

ARTICLE II.

President will act as mediator.

The President of the United States, at the request of the Japanese government, will act as a friendly mediator in such matters of difference as may arise between the government of Japan and any European power.

United States vessels, &c., to aid Japanese.

The ships of war of the United States shall render friendly aid and assistance to such Japanese vessels as they may meet on the high seas, so far as can be done without a breach of neutrality; and all American consuls residing at ports visited by Japanese vessels shall also give them such friendly aid as may be permitted by the laws of the respective countries in which they reside.

ARTICLE III.

Additional ports opened.

In addition to the ports of Simoda and Hakodade, the following ports and towns shall be opened on the dates respectively appended to them, that is to say: Kanagawa, on the (4th of July, 1859) fourth day

De President der Vereenigde Staten kan een diplomatieken agent benoemen, om in de Stad Jedo verblyf te houden, en consuls, of consulaire agenten, om in eenige of al de, by dit Tractaat, den Amerikaanschen handel, opengestelde havens in Japan verblyf te houden. De diplomatieke agent en de consul-generaal der Vereenigde Staten, zullen van den tyd af, zy hunne ambts bezigheden beginnen waar te nemen, het regt hebbend van ongehinderd, in eenig gedeelte van hen Japansche ryk te reizen.

De Japansche Regering kan een diplomatieken agent benoemen om te Washington verblyf te houden, en consuls, of consular agenten voor eenige of al de havens der Vereenigde Staten. De diplomatieke agent en de consul-generaal van Japan mogen van den tyd hunner aankomst daar te lande, ongehinderd in eenig gedeelte der Vereenigde Staten reizen.

TWEDE ARTIKEL.

De President der Vereenigde Staten wil, op verzoek der Japansche Regering, als vriendschappelyk bemiddelaar handelen, in zulke zaken van verschil, als tusschen de Japansche Regering, en eenige Europeesche Mogenheid, mogten ontstaan. De oorlogschepen der Vereenigde Staten zullen, aan zoodanige Japansche schepen, als zy op de openbare zee mogen ontmoeten, vriendschappelyke hulp en bystand verleen, zoover zulks zonder eene breuk van neutraliteit doenbaar is, en alle Amerikaansche consuls, verblyfhoudende in havens, door Japansche schepen aangedaan zullen ook daaraan zoodanige vriendschappelyke hulp verleen, als de wetten der respectieve landen, waar zy verblyfhouden veroorloven.

DERDE ARTIKEL.

By de Havens van Simoda en Hakodade, zullen de volgende Havens en steden worden gevoegd en open gesteld, op de respectively daarby gevoegde datums, te weten. Kanagawa, den (4 de July, 1859)

of July, one thousand eight hundred and fifty-nine; Nagasaki, on the (4th of July, 1859) fourth day of July, one thousand eight hundred and fifty-nine; Nee-e-gata, on the (1st of January, 1860) first day of January, one thousand eight hundred and sixty; Hiogo, on the (1st of January, 1863) first day of January, one thousand eight hundred and sixty-three.

. If Nee-e-gata is found to be unsuitable as a harbor, another port on the west coast of Nipon shall be selected by the two governments in lieu thereof. Six months after the opening of Kanagawa the port of Simoda shall be closed as a place of residence and trade for American citizens. In all the foregoing ports and towns American citizens may permanently reside; they shall have the right to lease ground, and purchase the buildings thereon, and may erect dwellings and warehouses. But no fortification or place of military strength shall be erected under pretence of building dwelling or warehouses; and to see that this article is observed, the Japanese authorities shall have the right to inspect, from time to time, any buildings which are being erected, altered, or repaired. The place which the Americans shall occupy for their buildings, and the harbor regulations, shall be arranged by the American consul and the authorities of each place, and if they cannot agree the matter shall be referred to and settled by the American diplomatic agent and the Japanese government.

No wall, fence, or gate shall be erected by the Japanese around the place of residence of the Americans, or anything done which may prevent a free egress and ingress to the same.

From the (1st of January, 1862,) first day of January, one thousand eight hundred and sixty-two, Amer-

vierden dag van July, eenduizend acht honderd negen en vyftig.

Nagasaki, den (4 de July, 1859) vierden dag van July, eenduizend acht honderd negen en vyftig.

Ni-e-gata, den (1ste January, 1860) eersten dag van January een duizend acht honderd en zestig.

Hiogo, den (1ste January, 1863) eersten dag van January een duizend acht honderd drie en zestig.

Indien Niegata als haven, ongeschikt mogt worden bevonden, zal in de plaats daarvan, eene andere haven, aan de Westkust van Nipon, door beide Regeringen worden uitgekozen.

Zes maanden na de openstelling van Kanagawa, zal de Haven van Simoda, als eene plaats van verblyf en handel, voor Amerikaansche burgers, worden gesloten.

In al de voorgaande havens en steden, mogen Amerikaansche burgers voortdurend verblyf houden, zy zullen het regt hebben grond te huren en de daarop zynde gebouwen te koopen, en zy mogen woon en pakhuizen oprigten.

Maar geene fortificatie of plaats van militaire sterkte zal onder wissel van woon of pakhuizen te bouwen worden opgerigt, en op dat dit artikel worde nagekomen, zullen de Japansche overheden het regt hebben, opgerigt, veranderd of hersteld wordende gebouwen van tyd tot tyd na te zien.

De plaats die de Amerikanen voor hunne gebouwen zullen occuperen en de Haven Regulatien zullen doorden Amerikaanschen consul en de overheden van iedere plaats worden bepaald, en indien zy niet overeen kunnen komen, zal de zaak worden verwezen aan en geschikt door den Amerikaanschen diplomatieken agent en de Japansche Regering.

Geen muur, schutting of poort, zal door de Japanners om de verblyfplaats der Amerikanen worden opgerigt, of iets gedaan worden dat de vrye uitgang en ingang tot deselve mogt verhinderen.

Van den (1sten January, 1862) eersten dag van January een duizend acht honderd twee en zestig zullen

American citizens may reside therein.

Regulations.

icans shall be allowed to reside in the city of Yedo; and from the (1st of January, 1863,) first day of January, one thousand eight hundred and sixty-three, in the city of Osaca, for the purposes of trade only. In each of these two cities a suitable place within which they may hire houses, and the distance they may go, shall be arranged by the American diplomatic agent and the government of Japan. Americans may freely buy from Japanese and sell to them any articles that either may have for sale, without the intervention of any Japanese officers in such purchase or sale, or in making or receiving payment for the same; and all classes of Japanese may purchase, sell, keep, or use any articles sold to them by the Americans.

To be made public.

The Japanese government will cause this clause to be made public in every part of the empire as soon as the ratifications of this treaty shall be exchanged.

Munitions of war.

Munitions of war shall only be sold to the Japanese government and foreigners.

Rice and wheat not to be exported from Japan.

No rice or wheat shall be exported from Japan as cargo, but all Americans resident in Japan, and ships, for their crews and passengers, shall be furnished with sufficient supplies of the same. The Japanese government will sell, from time to time at public auction, any surplus quantity of copper that may be produced. Americans residing in Japan shall have the right to employ Japanese as servants or in any other capacity.

Copper.

Servants.

de Amerikanen in de Stad Jedo, en van den (1sten January 1863) eersten dag van January, een duizend acht honderd drie en zestig in de Stad Osaca verblyf mogen houden, alleen ten einde handel te dryven.

In ieder dezer twee steden, zal eene geschikte plaats, binnen welke zy huizen mogen huren, en den afstand zy mogen gaan, worden bepaald door den Amerikaanschen diplomatieken agent en de Japansche Regering.

Amerikanen mogen ongehinderd van Japanners koopen en aan hen verkoopen, artikelen die zy beiderzydsch ten verkoop mogen hebben, zonder de tusschenkomst van Japansche ambtenaren in zoodanigen koop of verkoop, of in het betalen of betaling ontvangen daarvoor, en alle klassen van Japanners mogen koopen, verkoopen, houden of gebruiken artikelen aan hen, door de Amerikanen verkocht.

Zoo spoedig als de ratificatien van dit tractaat zullen zyn uitgewisseld, zal de Japansche Regering in ieder gedeelte van het Ryk, dezer bepaling openbaarheid doen geven.

Oorlogsbehoeften zullen alleen aan de Japansche Regering en aan vreemdelingen verkocht worden.

Geen ryst of tarwe zal van Japan als lading worden uitgeroerd; maar aan alle in Japau verblyfhoudende Amerikanen, en aan schepen voor derzelver bemanning en passagiers, zal eene genoegzame voorraad daarvan geleverd worden.

Elke meer dan noodige hoeveelheid koper, die mogt worden opgeleverd, zal van tyd tot tyd, door de Japansche Regering in publieke veiling worden verkocht.

De, in Japan verblyf houdende Amerikanen, zullen het regt hebben, Japanners als dienstboden, of in eenige andere hoedanigheid te gebruiken.

ARTICLE IV.

VIERDE ARTIKEL.

Duties.

Duties shall be paid to the government of Japan on all goods landed in the country, and on all articles of Japanese production that are exported as cargo, according to the tariff hereunto appended.

Regten zullen worden betaald aan de Japansche Regering, op alle en het Ryk gelande goederen, en op alle, ain Japan voortgebragte artikelen, die als lading, worden uitgevoerd volgens het hierby gevegte tarief.

If the Japanese custom-house officers are dissatisfied with the value placed on any goods by the owner, they may place a value thereon, and offer to take the goods at that valuation. If the owner refuses to accept the offer, he shall pay duty on such valuation. If the offer be accepted by the owner, the purchase-money shall be paid to him without delay, and without any abatement or discount.

Supplies for the use of the United States navy may be landed at Kana-gawa, Hakodade, and Nagasaki, and stored in warehouses, in the custody of an officer of the American government, without the payment of any duty. But, if any such supplies are sold in Japan, the purchaser shall pay the proper duty to the Japanese authorities.

The importation of opium is prohibited, and any American vessel coming to Japan for the purposes of trade, having more than three (3) cattie (four pounds avoirdupois) weight of opium on board, such surplus quantity shall be seized and destroyed by the Japanese authorities. All goods imported into Japan, and which have paid the duty fixed by this treaty, may be transported by the Japanese into any part of the empire without the payment of any tax, excise, or transit duty whatever.

No higher duties shall be paid by Americans on goods imported into Japan than are fixed by this treaty, nor shall any higher duties be paid by Americans than are levied on the same description of goods if imported in Japanese vessels, or the vessels of any other nation.

ARTICLE V.

All foreign coin shall be current in Japan and pass for its corre-

Indien de Japansche tolbeamten, met de door den eigenaar op eenige goederen geplaatste waarde onvoldaan zyn, mogen zy daaraan eene waarde geven, en aanbieden de goederen volgens deze waardering te nemen. By weigering van den eigenaar om het aanbod aan te nemen, zal hy de regten volgens zoodanige waardering betalen.

Indien het aanbod door den eigenaar worde aangenomen, zal hem den inkoopsprijs zonder uitstel, en zonder eenige vermindering of korting betaald worden.

Voorraad voor de Marine der Vereenigde Staten, mag in Kana-gawa, Hakodade, en Nagasaki geland, en in pakhuizen, die onder de verzekerde bewaring van een ambtenaar der Amerikaansche Regering zyn, geborgen worden, zonder eenig regt te betalen. Maar zoo eenige zulke voorraad in Japan verkocht worde, zal de inkoop de bepaalde regten, aan de Japansche overheden betalen.

De invoer van opium is verboden, en zoo eenig, naar Japan, ten handel komend Amerikaansh schip; meer dan (3) drie kattjes (vier pond avoirdupois) gewigt aan opium, aan boord heeft, zal zoodanig overwigt door de Japansche overheden, worden geval en vernield.

Alle in Japan ingevoerde en de, by dit tractaat vastgestelde regten betaald hebbende goederen, mogen door de Japanners naar eenig gedeelte van het Ryk worden vervoerd zonder eenige belasting, accyns of doorvoerregt hoegenaamd te betalen.

Geene hoogere dan by dit tractaat vastgestelde regten, zullen door Amerikanen op goederen, in Japan ingevoerd betaald worden, noch zullen de Amerikanen hoogere regten betalen, dan die, welke op gelyksoortige, met Japansch schepen, of met de schepen van eenige andere Natie ingevoerde goederen worden geheven.

VYFDE ARTIKEL.

Alle vreemde munt, zal in Japan gangbaar zyn en evenveel gelden,

Supplies for United States Navy.

Importation of opium prohibited, &c.

Imports on which duties are paid may be transported, &c.

No higher duties, &c.

Foreign coin.

sponding weight of Japanese coin of the same description. Americans and Japanese may freely use foreign or Japanese coin in making payments to each other.

Exchange of coin.

As some time will elapse before the Japanese will be acquainted with the value of foreign coin, the Japanese government will, for the period of one year after the opening of each harbor, furnish the Americans with Japanese coin, in exchange for theirs, equal weights being given and no discount taken for recoinage. Coins of all description (with the exception of Japanese copper coin) may be exported from Japan, and foreign gold and silver uncoined.

Coins (except copper) may be exported from Japan.

ARTICLE VI.

Jurisdiction over offences.

Americans committing offences against Japanese shall be tried in American consular courts, and when guilty shall be punished according to American law. Japanese committing offences against Americans shall be tried by the Japanese authorities and punished according to Japanese law. The consular courts shall be open to Japanese creditors, to enable them to recover their just claims against American citizens, and the Japanese courts shall in like manner be open to American citizens for the recovery of their just claims against Japanese.

Forfeitures and penalties under this treaty.

All claims for forfeitures or penalties for violations of this treaty, or of the articles regulating trade which are appended hereunto, shall be sued for in the consular courts, and all recoveries shall be delivered to the Japanese authorities.

als een gelyk gewigt Japansche munt van dezelfde soort.

Amerikanen, en Japanners, mogen in het maken van betalingen aan elkander, vrylyk vreemde of Japansche munt, gebruiken.

Daar er eenige tyd zal verlooper voor dat de Japanners, met de waarde van vreemde munt zullen bekend zyn, zal de Japansche regering voor den tyd van een jaar, na de opening van iedere haven, den Amerikanen, in ruil voor hunne munt Japansche munt verstrekken. Daarby zal gelyk gewigt gegeven, en geene korting voor hermunting genomen worden.

Alle soorten van munten (Japansche koperen munt uitgezonderd) en vreemd, ongemunt, goud en zilver, mogen van Japan worden uitgevoerd.

ZESDE ARTIKEL.

Amerikanen, overtredingen begaande tegen Japanners, zullen voor Amerikaansche consulaire gerechts hoven te regt staan, en indien schuldig bevonden, volgens de Amerikaansche wet, worden gestraft.

Japanners, overtredingen begaande tegen Amerikanen, zullen voor de Japansche overheden te regt staan, en volgens de Japansche wet, worden gestraft.

De consulaire gerechts hoven zullen open zyn voor Japansche schuldienschers, ten einde hen in staat te stellen, hunne regtvaardige vorderingen, tegen Amerikaansche burgers te erlangen, en de Japansche gerechtshoven zullen gelykenwyze voor Amerikaansche burgers open zyn tot de erlanging hunner regtvaardige vorderingen tegen Japanners.

Alle vorderingen voor verbeurdverklaringen of boeten, voor schending van dit tractaat of van de hierby gevoegde den handel regelende artikelen, zullen ter geregtelyke vervolging, voor de consulaire gerechtshoven gebracht worden enal hetgeen dus verkregen is, aan de Japansche overheden worden overhandigd.

Neither the American or Japanese governments are to be held responsible for the payment of any debts contracted by their respective citizens or subjects.

ARTICLE VII.

In the opened harbors of Japan, Americans shall be free to go, where they please, within the following limits:

At Kanagawa, the River Logo, (which empties into the Bay of Yedo between Kawasaki and Sinagawa,) and (10) ten ri in any other direction.

At Hakodade, (10) ten ri in any direction.

At Hiogo, (10) ten ri in any direction, that of Kioto excepted, which city shall not be approached nearer than (10) ten ri. The crews of vessels resorting to Hiogo shall not cross the River Enagawa, which empties into the Bay between Hiogo and Osaca. The distances shall be measured inland from Goyoso, or town hall, of each of the foregoing harbors, the ri being equal to (4,275) four thousand two hundred and seventy-five yards, American measure.

At Nagasaki, Americans may go into any part of the imperial domain in its vicinity. The boundaries of Nee-e-gata, or the place that may be substituted for it, shall be settled by the American diplomatic agent and the government of Japan. Americans who have been convicted of felony, or twice convicted of misdemeanors, shall not go more than (1) one Japanese ri inland from the places of their respective residences, and all persons so convicted shall lose their right of permanent residence in Japan, and the Japanese authorities may require them to leave the country.

A reasonable time shall be allowed to all such persons to settle their

De Amerikaansche of Japansche Regeringen, kunnen niet aansprakelyk gehouden worden, voor de betaling van door hunne wyderzydsche burgers of onderdanen, aangegane schulden.

Governments not to be responsible for debts of citizens, &c.

ZEVENDE ARTIKEL.

In de opengestelde Havens van Japan, zullen de Amerikanen vry zyn te gaan waar het hun behaagt, binnen de volgende grenzen;

Limits of opened harbors.

Te Kanagawa, de rivier Logo (die zich tusschen Kawasaki, en Sinagawa, met de Baai van Jedo vereenigt) en (10) tien ri, in iedere andere rigting.

Kanagawa.

Te Hakodade, (10) tien ri in iedere rigting.

Hakodadi.

Te Hiogo (10) tien ri, in iedere rigting, met uitzondering van die van Kioto, van welke stad zy (10) tien ri, verwyderd zullen blyven. De bemanning van naar Hiogo komende schepen zal de rivier Inagawa, die zich tusschen Hiogo en Osaca, met de Baai vereenigt, niet overgaan.

Hiogo.

De afstanden zullen gemeten worden overlands, van de Gojoso of het stadhuis van ieder der voorgaande havens, de Ri gelyk zynde aan (4,275) vierduizend twee honderd vyf en zeventig yards, Amerikaansche maat.

Te Nagasaki mogen de Amerikanen, in ieder gedeelte van het Keizerlyke territoir gaan, dat in hare omstreken gelegen is.

Nagasaki.

De grenzen van Ni-e-gata, of van de plaats, die dezelve misschien zal vervangen, zullen door den Amerikaanschen diplomatieken agent en de Japansche Regering bepaald worden.

Who shall lose right of permanent residence in Japan.

Wegens hoofdmisdaad of twee maal wegens wangedrag veroordeeld geweest zynde Amerikanen, zullen zich niet verder dan (1) een Japansche ri van hunner espective verblyfplaatsen binnens lands begeven, en alle aldus veroordeelde personen zullen hun regt van voortdurend-verblyf in Japan verliezen, en de Japansche overheden zullen kunnen vorderen, dat zy het land verlaten.

Aan alle zoodanige personen, zal een redelyken tyd, ter regelen hun-

Such persons to have time to settle affairs.

affairs, and the American consular authority shall, after an examination into the circumstances of each case, determine the time to be allowed, but such time shall not in any case exceed one year, to be calculated from the time the person shall be free to attend to his affairs.

ARTICLE VIII.

Religious freedom.

Americans in Japan shall be allowed the free exercise of their religion, and for this purpose shall have the right to erect suitable places of worship. No injury shall be done to such buildings, nor any insult be offered to the religious worship of the Americans. American citizens shall not injure any Japanese temple or mia, or offer any insult or injury to Japanese religious ceremonies, or to the objects of their worship.

The Americans and Japanese shall not do anything that may be calculated to excite religious animosity. The government of Japan has already abolished the practice of trampling on religious emblems.

ARTICLE IX.

Japanese authorities will arrest deserters on request, &c.

When requested by the American consul, the Japanese authorities will cause the arrest of all deserters and fugitives from justice, receive in jail all persons held as prisoners by the consul, and give to the consul such assistance as may be required to enable him to enforce the observance of the laws by the Americans who are on land, and to maintain order among the shipping. For all such service, and for the support of prisoners kept in confinement, the consul shall in all cases pay a just compensation.

ARTICLE X.

Japanese government may purchase, or con-

The Japanese government may purchase or construct, in the United

ner zaken veroorloofd worden, en de Amerikaansche consulaire overheid, zal, na de omstandigheden van iedere zaak onderzocht te hebben, den te verloven tyd bepalen; maar zoodanige tyd zal in geen geval een jaar overschryden, te rekenen van den tyd, de persoon vry zal zyn zyne zaken waarte nemen.

ACHTSTE ARTIKEL.

Aan Amerikanen in Japan zal de vrye uitoefening hunner godsdienst veroorloofd zyn, en des wege zullen zy het regt hebben, voegzame plaatsen van aanbidding op te rigten. Zoodanige gebouwen zullen niet beschadigd noch eenige beleediging der Godsdienstoefening van de Amerikanen worden aangedaan.

Amerikaansche burghers zullen geene Japansche tempel of mia beschadigen, of geene Japansche godsdienst plegtigheden, noch de voorwerpen hunner aanbidding, eenige beleediging of beschadiging aandoen.

De Amerikanen en Japanners zullen niets doen, dat berekend mogt zyn, godsdienstige verbittering op te wekken. De Japansch Regering heeft de gewoonte van op godsdienstige zinnebeelden te trappen, reeds afgeschaft.

NEGENDE ARTIKEL.

De Japansche overheden zullen op verzoek des Amerikaanschen consuls, alle wegloopers en vlugtelingen van het regt, doen vatten, alle, door den consul gevangen gehouden personen doen inkerkeren, en den consul zoodanigen bystand verleen, als vereischt mag worden, om hem in staat te stellen de wetten door de aan wal zynde Amerikanen te doen nakomen, en orde onder de schepen te bewaren. Voor alle zulke diensten, en voor het onderhoud van in hechtinis gehouden gevangenen, zal de consul in alle gevallen eene billyke vergoeding betalen.

TIENDE ARTIKEL.

De Japansche Regering mag in de Vereenigde Staten koopen of

States, ships of war, steamers, merchant ships, whale ships, cannon, munitions of war, and arms of all kinds, and any other things it may require. It shall have the right to engage, in the United States, scientific, naval and military men, artisans of all kinds, and mariners to enter into its service. All purchases made for the government of Japan may be exported from the United States, and all persons engaged for its service may freely depart from the United States: *Provided*, That no articles that are contraband of war shall be exported, nor any persons engaged to act in a naval or military capacity, while Japan shall be at war with any power in amity with the United States.

ARTICLE XI.

The articles for the regulation of trade, which are appended to this treaty, shall be considered as forming a part of the same, and shall be equally binding on both the contracting parties to this treaty, and on their citizens and subjects.

ARTICLE XII.

Such of the provisions of the treaty made by Commodore Perry, and signed at Kanagawa, on the 31st of March, 1854, as conflict with the provisions of this treaty are hereby revoked; and as all the provisions of a convention executed by the consul-general of the United States and the governors of Simoda, on the 17th of June, 1857, are incorporated in this treaty, that convention is also revoked.

The person charged with the diplomatic relations of the United States in Japan, in conjunction with such person or persons as may be appointed for that purpose by the Japanese government, shall have power to make such rules and reg-

bouwen oorlogschepen, stoomschepen, koopvaardyschepen, walvischvaarders, kanonnen, oorlogsbehoefden en alle soorten van wapenen en andere zaken die zy mogt behoeven. Zy zal het regt hebben wetenschappelyke tot de marine behoorende en militaire personen, ambachts lieden van alle vakken, en zulieden, om in haren dienst te treden, in de Vereenigde Staten aan te nemen. Al de voor de Japansche Regering gemaakte inkoopten mogen van de Vereenigde Staten worden uitgevoerd, en alle in haren dienst genomen personen, mogen ongehinderd de Vereenigde Staten verlaten. Mits, dat, geene contrabande van oorlog zynde artikelen, zullen uitgevoerd, noch personen aangenomen worden, om in eene tot de marine behoorende, of militair betrekking te handelens, tydens Japan in oorlog zal zyn, met eenige Mogenheid, in vriendschap met de Vereenigde Staten.

struat, ships of war, &c., in United States.

Except contraband of war.

ELFDE ARTIKEL.

De, by dit Tractaat, gevoegde artikelen, ter regeling des handels, zullen beschouwd worden cendeel daarvan uit te maken, en zullen voor beide contracterende partyen van dit Tractaat, en voor hunne burgers en onderdanen, gelykgelyk verbindend zyn.

Regulations appended form part of treaty.

TWAALFDE ARTIKEL.

Zulke der bepalingen van het door Commodore Perry gesloten, en den 31ste Maart, 1854, te Kanagawa geteekende Tractaat, als tegenstrydig zyn met de bepalingen van dit Tractaat, worden by deze herroepen, en daar al de bepalingen van eene den 17de Juny, 1857, tusschen den Consul Generaal der Vereenigde Staten en de Gouverneurs van Simoda gesloten conventie, in dit tractaat zyn opgenomen zoo is ook die conventie herroepen.

Conflicting provisions of treaty of March 31, 1854, repealed. Vol. xi. p. 597

Vol. xi. p. 723.

De persoon belast met de diplomatieke betrekkingen der Vereenigde Staten in Japan, zal en verband met zulke persoon of personen, als tot dat einde door de Japansche Regering benoemed mogen worden, de magt hebben zulke regels en re-

Rules may be made to carry this treaty into effect.

ulations as may be required to carry into full and complete effect the provisions of this treaty, and the provisions of the articles regulating trade appended thereunto.

ARTICLE XIII.

When treaty may be terminated.

After the (4th of July, 1872,) fourth day of July, one thousand eight hundred and seventy-two, upon the desire of either the American or Japanese governments, and on one year's notice given by either party, this treaty, and such portions of the treaty of Kanagawa as remain unrevoked by this treaty, together with the regulations of trade hereunto annexed, or those that may be hereafter introduced, shall be subject to revision by commissioners appointed on both sides for this purpose, who will be empowered to decide on, and insert therein, such amendments as experience shall prove to be desirable.

ARTICLE XIV.

When to take effect.

This treaty shall go into effect on the (4th of July, 1859,) fourth day of July, in the year of our Lord one thousand eight hundred and fifty-nine, on or before which day the ratifications of the same shall be exchanged at the city of Washington; but if, from any unforeseen cause, the ratifications cannot be exchanged by that time, the treaty shall still go into effect at the date above mentioned.

Ratifications how verified.

The act of ratification on the part of the United States shall be verified by the signature of the President of the United States, countersigned by the Secretary of State, and sealed with the seal of the United States.

The act of ratification on the part of Japan shall be verified by the name and seal of his Majesty the Ty-Coon, and by the seals and signatures of such of his high officers as he may direct.

gulationen te maken als mogen worden vereischt, om de bepalingen van dit tractaat, en de daarby gevoegde handel regelende artikelen, en volledige werking te doen treden.

DERTIENDE ARTIKEL.

Na den (4den July, 1872) vierden dag van July, een duizend acht honderd twee en zeventig, zal op den wensch der Amerikaansche of Japansche Regeringen en nadat er der twee partyen, een jaar voorkennis heeft gegeven, dit tractaat en zulke gedeelten van het Tractaat van Kanagawa — als by dit tractaat onherroepen blyven, te zamen met de hierby gevoegde Handels Regulatiën, of die welke in den vervolge mogten worden, ingevoerd, onderworpen zyn aan de herziening van daartoe door beide kanten benoemde Commissarissen, die gemagtigd zullen zyn te beslissen en daarby te vogen, zoodanige verbeteringen, als door de ondervinding wenschelyk zullen worden bevonden.

VIERTENDE ARTIKEL.

Dit Tractaat zal den (4den July, 1859) vierden dag van July van het Jaar onzes Heeren, een duizend, acht honderd, negen en vyftig, in werking treden, op of voor welken dag, de ratificatiën daarvan, in de Stad Washington zullen worden uitgewisseld; maar indien wegens eenige onvoorziene oorzaak, de ratificatiën niet binnen dien tyd kunnen uitgewisseld worden, zal het tractaat toch op bovengemelden datum, in werking treden.

De acte van ratificatie aan den Kant der Vereenigde Staten zal worden geverifieerd door de handteekening van den President der Vereenigde Staten, gecontrasigneerd door den Secretaris van Staat en gecacheteerd met het zegel der Vereenigde Staten.

De acte van ratificatie, aan den kant van Japan, zal worden geverifieerd, door den naam en het cachet Zyner Majesteit den Taikoen en door de cachetten en handteekeningen zulker zyner Hooge ambtenaren, als Hoogstdezelve mag verordenen.

This treaty is executed in quadruplicate, each copy being written in the English, Japanese, and Dutch languages, all the versions having the same meaning and intention, but the Dutch version shall be considered as being the original.

In witness whereof, the above-named plenipotentiaries have hereunto set their hands and seals, at the city of Yedo, this twenty-ninth day of July, in the year of our Lord one thousand eight hundred and fifty-eight, and of the independence of the United States of America the eighty-third, corresponding to the Japanese era, the nineteenth day of the sixth month of the fifth year of Ansei Mma.

TOWNSEND HARRIS. [SEAL.]

Dit Tractaat is gedaan, in quadruplicaat, ieder afschrift geschreven zynde, in de Engelsche, Japansche, en Hollandsche talen, al de vertalingen de zelfde meening en oog merk hebbende; maar de Hollandsche vertaling zal als de oorspronkelyke worden beshouwd.

Ter oirkonde waarvan, de bovengenoemde gevolmachtigden, deze hebben geteekend, en hunne cachetten daarop gesteld, in de Stad Jedo dezen negen en twintigsten dag van July van het Jaar onzes Heeren, een duizend, acht honderd, acht en vyftig, en van de onafhankelykheid der Vereenigde Staten van America het drie en tachtigste, overeenkomende met de Japansche tydrekening den negentienden dag der zesde maand van het vyfde Jaar van Ansei Mma.

Signatures
July 29, 1858.

Regulations under which American trade is to be conducted in Japan.

REGULATION FIRST.

Within (48) forty-eight hours (Sundays excepted) after the arrival of an American ship in a Japanese port, the captain or commander shall exhibit to the Japanese custom-house authorities the receipt of the American consul, showing that he has deposited the ship's register and other papers, as required by the laws of the United States, at the American consulate, and he shall then make an entry of his ship, by giving a written paper, stating the name of the ship, and the name of the port from which she comes, her tonnage, the name of her captain or commander, the names of her passengers, (if any,) and the number of her crew, which paper shall be certified by the captain or commander to be a true statement, and shall be signed by him; he shall at the same time deposit a written manifest of his cargo, setting forth the marks and numbers of the packages and their contents, as they are described in his bills of lading, with the

Regulatiën, onder welke den Amerikaanschen Handel in Japan gedreven zal worden.

EERSTE REGULATIE.

Binnen (48) acht en veertig uren (Zondagen uitgezonderd) na de aankomst van een Amerikaansch schip in eene Japansche haven, zal de Kapitein of gezagvoerder, aan de overheden van het Japansche tolkantoor, den ontvangstbrief van den Amerikaanschen consul vertoonen, vermeldende, dat hy het scheeps register, en andere papieren, als door de wetten der Vereenigde Staten vercischt, by het Amerikaansche consulaat heeft gedeponeerd, hy zal als dan eene aangifte van zyn schip maken, door een geschreven papier in te dienen, vermeldende den naam van het schip, en den naam der haven, waar het van daan komt, de tonnemaat, den naam des kapiteins of gezagvoerders, de namen der pasagiers (zoo er zyn) en het getal der bemanning daarvan, welk papier, door den kapitein of gezagvoerder, zal worden gecertificeerd, te zyn een ware opgave, en door hem zal worden onderteekend, hy zal terzelfder

Regulations at
custom-house.

names of the person or persons to whom they are consigned. A list of the stores of the ship shall be added to the manifest. The captain or commander shall certify the manifest to be a true account of all the cargo and stores on board the ship, and shall sign his name to the same. If any error is discovered in the manifest, it may be corrected within (24) twenty-four hours (Sundays excepted) without the payment of any fee; but for any alteration or post entry to the manifest made after that time, a fee of (\$15) fifteen dollars shall be paid. All goods not entered on the manifest shall pay double duties on being landed. Any captain or commander that shall neglect to enter his vessel at the Japanese custom-house within the time prescribed by this regulation shall pay a penalty of (\$60) sixty dollars for each day that he shall so neglect to enter his ship.

REGULATION SECOND.

Japanese custom-house officers to be placed on board merchant vessels, &c.

Unloading of goods.

The Japanese government shall have the right to place custom-house officers on board of any ship in their ports (men-of-war excepted.) All custom-house officers shall be treated with civility, and such reasonable accommodation shall be allotted to them as the ship affords. No goods shall be unladen from any ship between the hours of sunset and sunrise, except by special permission of the custom-house authorities, and the hatches, and all other places of entrance into that part of the ship where the cargo is stowed, may be secured by Japanese officers, between the hours of sunset and sunrise, by affixing seals, locks, or other fastenings; and if any person shall, without due permission, open any entrance that has been so secured, or shall break or remove any seal,

tyd een geschreven manifest zynere lading deponeeren, opgevendende de marken en nommers der pakken, en den inhoud daarvan, zoo als zy in zyne connossemerten beschreven zyn, met de namen des persoons of personen, aan wien zyzyn geconsigneerd. Eene lyst der scheeps voorraad zal by het manifest worden gevoegd.

De kapitein of gezagvoerder zal het manifest certificeren te zyn eene ware opgave der gansche lading en voorraad aan boord van het schip, en dit met zyn naam onderteekenen.

Eenige in het manifest ontdekte devaling, kan binnen (24) vier en twintig uren (Zondagen uitgezonderd) zonder de betaling van eenige douceur worden verbeterd; maar voor eenige na dien tyd gemaakte verandering, of laten aangifte tot het manifest, zal eene douceur van (15) vyftien dollars betaald worden.

Al de niet in het manifest aangegeven goederen, zullen wanneer zy geland zyn, dubbele regten betalen.

De kapitein of gezagvoerder die verzuimen zal zyn schip by het Japansche tolkantoor in te klaren, binnen den door deze regulatie voorschreven tyd, zal eene boete van (60) zestig dollars betalen, voor iederen dag hy aldus verzuimen zal, zyn schip in te klaren.

TWEDE REGULATIE.

De Japansche Regering zal het regt hebben, aan boord van ieder schip in hare havens (oorlogschepen uitgezonderd) tolbeambten te plaatsen. Alle tolbeambten zullen beleefdelyk worden behandeld, en zulk redelykgerief, als heb schip oplevert, zal hen worden verstrekt.

Tusschen de uren van zon onder en opgang, zullen geene goederen uit de schepen gelost worden behalve op byzonder verlof van de overheden van het tolkantoor, en de luiken en alle andere plaatsen van toegang tot dat gedeelte van het schip, waar de lading geborgen is, mogen tusschen de uren van zon onder en opgang, door Japansche ambtenaren verzekerd zyn, door dezelve met zegels, sloten of andere middelen van vastmaking te voorzien, en indien iemand zonder be-

lock, or other fastening that has been affixed by the Japanese custom-house officers, every person so offending shall pay a fine of (\$60) sixty dollars for each offence. Any goods that shall be discharged or attempted to be discharged from any ship, without having been duly entered at the Japanese custom-house, as hereinafter provided, shall be liable to seizure and confiscation.

Packages of goods made up with an attempt to defraud the revenue of Japan, by concealing therein articles of value which are not set forth in the invoice, shall be forfeited.

American ships that shall smuggle, or attempt to smuggle, goods in any of the non-opened harbors of Japan, all such goods shall be forfeited to the Japanese government, and the ship shall pay a fine of (\$1,000) one thousand dollars for each offence. Vessels needing repairs may land their cargo for that purpose without the payment of duty. All goods so landed shall remain in charge of the Japanese authorities, and all just charges for storage, labor, and supervision shall be paid thereon. But if any portion of such cargo be sold, the regular duties shall be paid on the portion so disposed of. Cargo may be transhipped to another vessel in the same harbor without the payment of duty; but all transshipments shall be made under the supervision of Japanese officers, and after satisfactory proof has been given to the custom-house authorities of the *bona fide* nature of the transaction, and also under a permit to be granted for that purpose by such authorities. The importation of opium being prohibited, if any person or persons shall smuggle, or attempt to smuggle, any opium, he or they shall pay a fine of (\$15) fifteen dollars for each catty of opium so smuggled or attempted to be smuggled; and if

hoorlyk verlof, eenige aldus vezerde toegang mogt openen, of eenig zegel, slot of ander middel van vastmaking, waarmede zy door de Japansche tolbeambten voorzien is, mogt breken of wegnemen, zoo zal elk aldus overtredend persoon, eene boete van (60) zestig dollars, voor iedere overtreding betalen.

Goederen, die gelost zullen worden of beproefd om gelost te worden uit een schip, zonder dat daarvan de behoorlyke aangifte, by het Japansche tolkantoor is gedaan, als by deze hieronder bepaald, zullen onderhevig zyn aan vating en verbeurdverklaring.

Pakken goederen, opgemaakt met het oogmerk om de Staatsinkomsten van Japan te benadeelen, door daarin artikelen van waarde die niet in de faktuur zyn opgegeven, te verbergen, zullen verbeurd verklaard zyn.

Frauds on revenue how punished.

Amerikaansche schepen die goederen zullen smokkelen, of beproeven te smokkelen, in eenige der niet geopende havens van Japan, alle zoodanige goederen zullen aan de Japansche Regering verbeurd verklaard zyn, en het schip zal eene boete van (1,000) een duizend dollars voor iedere overtreding betalen.

Herstelling benodigende schepen, mogen tot dat einde hunne lading landen, zonder regten te betalen. Alle aldus gelande goederen zullen onder de bewaring der Japansche overheden blyven, en alle billyke kosten voor pakhuis, huur, arbeid, en apzigt zullen daarvoor worden betaald; maar indien eenig gedeelte van zulke lading verkocht wordt, zullen de bepaalde regten, op het zoo verkochte gedeelte worden betaald. Lading mag, zonder regten te betalen, naar een ander schip in dezelfde haven worden overgescheept; maar alle overschepingen zullen onder opzigt van Japansche ambtenaren geschieden, en nadat aan de overheden van het tolkantoor voldoende proef is verstrekt, van den zuiveren aard der verrigting, alsmede onder een verlofbrief, tot dat einde door zoodanige overheden, te worden afgegeven.

Daar de invoer van opium, ver-

more than one person shall be engaged in the offence, they shall collectively be held responsible for the payment of the foregoing penalty.

REGULATION THIRD.

As to goods to be landed.

The owner or consignee of any goods, who desires to land them, shall make an entry of the same at the Japanese custom-house. The entry shall be in writing, and shall set forth the name of the person making the entry, and the name of the ship in which the goods were imported, and the marks, numbers, packages, and contents thereof, with the value of each package extended separately in one amount, and at the bottom of the entry shall be placed the aggregate value of all the goods contained in the entry. On each entry the owner or consignee shall certify, in writing, that the entry then presented exhibits the actual cost of the goods, and that nothing has been concealed whereby the customs of Japan would be defrauded; and the owner or consignee shall sign his name to such certificate.

The original invoice or invoices of the goods so entered shall be presented to the custom-house authorities, and shall remain in their possession until they have examined the goods contained in the entry.

The Japanese officers may examine any or all of the packages so entered, and for this purpose may take them to the custom-house, but such examination shall be without expense to the importer or injury to the goods, and after examination, the Japanese shall restore the goods to their original condition in the

boden is, zal de persoon of personen, die opium smokkelen, of beproeven zullen te smokkelen, hy of zy, eene boete van (15) vyftien dollars betalen voor ieder kattje opium zoo gesmokkeld of beproefd te worden gesmokkeld, en indien meer dan een persoon in de overtreding betrokken is zullen zy te zamen genomen, voor de betaling der voorgaande boete aansprakelyk worden gehouden.

DERDE REGULATIE.

De eigenaar van op de persoon aan wien goederen geconsigneerd zyn, die dezelve wenscht te landen zal eene aangifte daarvan by het Japansch tolkantoor indienen. De aangifte zal schriftelyk zyn, vermeldende den naam van den persoon die de aangifte maakt, en den naam van het schip waarmede de goederen zyn ingevoerd, en de merken, nommers, pakken, en den inhoud daarvan, met de waarde van ieder pak afzonderlyk, in een beloop daarop gesteld, en hetgezamenlyk bedrag van al de, in de aangifte bevatte goederen zal aan den voet der aangifte worden geplaatst. In iedere aangifte zal de eigenaar of de persoon aan wien de goederen geconsigneerd zyn, schriftelyk certificeeren, dat de aangifte als dan aangeboden de wesenslyke prys der goederen vertoont, en dat niets waardoor de Japansche regten zouden benadeeld worden, achterhouden is, en de eigenaar of de persoon aan wien de goederen geconsigneerd zyn, zal zoodanig certificaat, met zyn naam onderteekenen.

De oorspronkelyke factuur of facturen van aldus aangegeven goederen zullen aan de overheden van het tolkantoor worden aangeboden en tot dat zy de, in de aangifte vermelde goederen onderzocht hebben, in hun bezit blijven. De Japansche beambten mogen eenig of alle aldus aangegeven pakken onderzoeken, en dezelve, tot dat einde, naar het tolkantoor voeren; maar zulk onderzoek zal zonder onkosten voor den invoerder, of beschadiging der goederen geschieden, en na onderzoek zullen de Japanners de goede-

packages, (so far as may be practicable,) and such examination shall be made without any unreasonable delay.

If any owner or importer discovers that his goods have been damaged on the voyage of importation before such goods have been delivered to him, he may notify the custom-house authorities of such damage, and he may have the damaged goods appraised by two or more competent and disinterested persons, who, after due examination, shall make a certificate setting forth the amount per cent. of damage on each separate package, describing it by its mark and number, which certificates shall be signed by the appraisers in presence of the custom-house authorities, and the importer may attach the certificate to his entry, and make a corresponding deduction from it. But this shall not prevent the custom-house authorities from appraising the goods in the manner provided in article fourth of the treaty, to which these regulations are appended.

After the duties have been paid, the owner shall receive a permit authorizing the delivery to him of the goods, whether the same are at the custom-house or on ship-board. All goods intended to be exported shall be entered at the Japanese custom-house before they are placed on ship-board. The entry shall be in writing, and shall state the name of the ship by which the goods are to be exported, with the marks and numbers of the packages, and the quantity, description, and value of their contents. The exporter shall certify in writing that the entry is a true account of all the goods contained therein, and shall sign his name thereto. Any goods that are put on board of a ship for exportation before they have been entered at the custom-house, and all packages which contain prohibited articles, shall be forfeited to the Japanese government.

ren in hunne oorspronkelyke gesteldheid, weder in de pakken doen (zoover als zulks doenbaar is) en zoodanig onderzoek zal zonder eenig onredelyk oponthoud plaats vinden

Indien de eigenaar of invoerder ontdekt dat zyne goederen op de invoerreis beschadigd zyn geworden voordat zoodanige goederen aan hem overhandigd zyn, kan hy de overheden van het tolkantoor, van zoodanige schade kennisgeven, en de beschadigde goederen laten schatten door twee of meer des kundige en onpartydige personen, welke na behoorlyk onderzoek een certificaat zullen maken, het schadebeloop van eider afzonderlyk pak, per cents gewys opgevend, en dit met het merk en nommer daarvan beschryvend welk certificaat, in tegenwoordigheid der overheden van het tolkantoor door de shatters, zal worden onderteekend, en de invoerder mag het certificaat by zyne aangifte voegen, en eene overeenkomende som daarvan aftrekken. Maar dit zal de overheden van het tolkantoor niet beletten, de goederen te schatten als bepaald by het vierde artikel des tractaats, waar deze regulatien zyn bygevoegd.

Na de betaling der regten zal de eigenaar een verlofbrief ontvangen, de overgave der goederen, of zy zich in het tolkantoor of aan boord van het schip bevinden, aan hem magtigend.

All goederen bestemd, om uitgevoerd te worden, zullen voor dat zy aan boord gebracht zyn, by het Japansche tolkantoor worden aangeggeven.

De aangifte zal schriftelyk zyn, en den naam van het schip waarin de goederen zullen worden uitgevoerd, met de merken en nommers der pakken, en de hoeveelheid, aard en waarde, van derzelve inhoud vermelden.

De uitvoerder zal schriftelyk certificeren dat de aangifte eene ware opgave is, van al de daarin bevatte goederen, en dit met zyn naam onderteekenen.

Goederen, die voordat zy, by het tolkantoor zyn aangeggeven, aan boord van een schip zyn gebracht om uitgevoerd te worden, en alle

No entry at the custom-house shall be required for supplies for the use of ships, their crews, and passengers, nor for the clothing, &c., of passengers.

REGULATION FOURTH.

Clearance of vessels.

Ships wishing to clear shall give (24) twenty-four hours' notice at the custom-house, and at the end of that time they shall be entitled to their clearance; but if it be refused, the custom-house authorities shall immediately inform the captain or consignee of the ship of the reasons why the clearance is refused, and they shall also give the same notice to the American consul.

Ships of war of the United States shall not be required to enter or clear at the custom-house, nor shall they be visited by Japanese custom-house or police officers. Steamers carrying the mails of the United States may enter and clear on the same day, and they shall not be required to make a manifest, except for such passengers and goods as are to be landed in Japan. But such steamers shall, in all cases, enter and clear at the custom-house.

Whale ships touching for supplies, or ships in distress, shall not be required to make a manifest of their cargo; but if they subsequently wish to trade, they shall then deposit a manifest, as required in regulation first.

The word ship, wherever it occurs in these regulations, or in the treaty to which they are attached, is to be held as meaning ship, barque, brig, schooner, sloop, or steamer.

REGULATION FIFTH.

Any person signing a false declaration or certificate with the intent

pakken, die verboden artikelen inhouden, zullen aan de Japansche regering verbeurd verklaard zyn.

Behoeften voor de schepen voor hunne bemanning en passagiers, of de kleederen enz van passagiers, behoeven niet by het tolkantoor aangegeven te worden.

VIERDE REGULATIE.

Schepen, die uit wenschen te klaren, zullen (24) vier en twintig uren voorkennis, by het tolkantoor geven, en op het einde van dien tyd, zullen zy regt op hunne uitklaring hebben; maar by weigering van dien, zullen de overheden van het tolkantoor den kapitein, of den persoon, aan wien het schip geconsigneerd is, onmiddelyk de redenen van de weigering der uitklaring opgeven, en zulks insgelyks ter kennis van den Amerikaanschen consul brengen.

Oorlogschepen der Vereenigde Staten, behoeven niet by het tolkantoor in of uit te klaren, noch zullen zy door de Japansch tol of politie beambten, bezocht worden.

Stoomschepen, de post der Vereenigde Staten vervoorend, mogen op denzelfden dag in en uitklaren, en zullen geen manifest behoeven te maken, behalve voor zulke passagiers en goederen, als te Japan geland zullen worden. Maar zoodanige stoomschepen zullen, in ieder geval, by het tolkantoor in en uitklaren.

Walvischvaarders, die om voorraad binnen loopen, of in nood zyn de schepen, zullen geen manifest hunner lading behoeven te maken, maar zoo zy vervolgens handel wenschen te dryven, zullen zy als dan een manifest deponeren, als by Eerste Regulatie vereischt.

Het woord schip, waar het in deze Regulatien, of in het tractaat waarby zy gevoegd zyn ook voor moge komen, moetgehouden worden te beteekenen, schip, bark, brik, schoener, sloop of stoomschip.

VYFDE REGULATIE.

Jemand, die eene valsche verklaring of certificaat onderteekent, ten

Frauds on revenue.

to defraud the revenue of Japan shall pay a fine of (\$125) one hundred and twenty-five dollars for each offence.

REGULATION SIXTH.

No tonnage duties shall be levied on American ships in the ports of Japan, but the following fees shall be paid to the Japanese custom-house authorities: For the entry of a ship (\$15) fifteen dollars. For the clearance of a ship (\$7) seven dollars. For each permit (\$1½) one dollar and a half. For each bill of health (\$1½) one dollar and a half. For any other document (\$1½) one dollar and a half.

REGULATION SEVENTH.

Duties shall be paid to the Japanese government on all goods landed in the country according to the following tariff:

Class One.—All articles in this class shall be free of duty.

Gold and silver, coined or uncoined.

Wearing apparel in actual use.

Household furniture and printed books not intended for sale, but the property of persons who come to reside in Japan.

Class Two.—A duty of (5) five per cent. shall be paid on the following articles:

All articles used for the purpose of building, rigging, repairing, or fitting out of ships.

Whaling gear of all kinds.

Salted provisions of all kinds.

Bread and breadstuffs.

Living animals of all kinds.

Coals.

Timber for building houses.

Rice.

Paddy.

Steam machinery.

Zinc.

ende de Japansche Staats inkomsten te benadeelen, zal voor iedere overtreding, eene boete van (125) een honderd, vyf en twintig dollars betalen.

ZESDE REGULATIE.

Geene tonnégelden zullen op Amerikaansche schepen, in de Japansche havens geheven worden; maar de volgende douceurs zullen aan de overheden van het Japansche tolkantoor, worden betaald.

Voor het inklaren van een schip (15) vyftien dollars. Voor het uitklaren van een schip (7) zeven dollars. Voor iederen verlof brief (1½) een en een halve dollar. Voor iederen gezondheidsbrief (1½) een en een halve dollar. Voor ieder ander document (1½) een en een halve dollar.

ZEVENDE REGULATIE.

Op alle in het Ryk gelande goederen, zullen aan de Japansche Regering regten worden betaald, volgens het volgende.

Klasse Een.—Alle in deze klasse vermelde artikelen zullen regten vry zyn, Goud en zilver, gemunt of ongemunt. Kleederyn in tegenwoordig gebruik. Huisraad en gedrukte boeken, niet bestemd om verkocht te worden, maar die het eigendom zyn, van, naar Japan ten verblyf komende personen.

Klasse Twee.—Een regt van (5) vyf per cent., zal op de volgende artikelen worden betaald.

Alle voor het bouwen, takelen, herstellen of uitrusten van schepen, gebruikt wordende artikelen.

Alle soorten van Walvischtuig.

Alle soorten van gezouten eetwaren.

Brood en broodstoffen.

Alle soorten van levende dieren.

Steenkolen.

Timmerhout voor het bouwen van huizen.

Ryst.

Padie.

Stoom machinerie.

Zinc.

Lead.
Tin.
Raw silk.

Lood.
Tin.
Ruwe Zyde.

Class 3. *Class Three.*—A duty of (35) thirty-five per cent. shall be paid on all intoxicating liquors, whether prepared by distillation, fermentation, or in any other manner.

Klasse Drie.—Een regt van (35) vyf endertig per cent., zal worden betdald op alle de zinnen benevelende dranken, door distillatie, gisting, of op eenige andere wyze, bereid.

Class 4. *Class Four.*—All goods not included in any of the preceding classes shall pay a duty of (20) twenty per cent.

Klasse Vier.—Alle en eenige der voorgaande klassen, niet vermelde goederen, zullen een regt van (20) twintig per cent. betalen.

Exports. All articles of Japanese production, which are exported as cargo, shall pay a duty of (5) five per cent., with the exception of gold and silver coin and copper in bars. (5) Five years after the opening of Kanagawa the import and export duties shall be subject to revision if the Japanese government desires it.

Behalve gouden en zilveren munt en koper in staven, zullen alle, in Japan, voortgebragte artikelen, die als lading, worden uitgevoerd, een regt van (5) vyf per cent. betalen.

Vyf jaren na de openstelling van Kanagawa zullen de in en uitgaande regten aan herziening onderworpen zyn, indien de Japansche regering zulks verlangt.

TOWNSEND HARRIS. [L. S.]

Ratifications
exchanged at
Washington, May
22, 1860.

And whereas the said treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington on the 22d inst. by Lewis Cass, Secretary of State of the United States, and Simme Boozen no Kami, Muragaki Awadsi no Kami, and Ogure Bungo no Kami, Envoys Extraordinary and Ministers Plenipotentiary of his Majesty the Ty-Coon of Japan, on the part of their respective governments:

Proclamation,
May 23, 1860.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, have caused the said treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty-third day of May, in the year of our Lord one thousand eight hundred [SEAL.] and sixty, and of the independence of the United States of America the eighty-fourth.

JAMES BUCHANAN.

By the President:

LEWIS CASS, *Secretary of State.*

Convention between the United States and China for the Regulation of Trade. Concluded November 8, 1858. November 8, 1858.

WHEREAS a treaty of peace, amity, and commerce between the Ta Tsing Empire and the United States of America was concluded at Tientsin, and signed at the Temple of Hai-Kwang on the eighteenth day of June, in the year of our Lord one thousand eight hundred and fifty-eight, corresponding with the eighth day of the fifth moon of the eighth year of Hienfung: which said treaty was duly ratified by His Majesty the Emperor of China on the third day of July following, and which has been now transmitted for ratification by the President of the United States, with the advice and consent of the Senate: and whereas in the said treaty it was provided among other things that the tariff of duties to be paid by citizens of the United States on the export and import of goods from and into China shall be the same as was agreed upon at the treaty of Wang-hia, except so far as it may be modified by treaties with other nations, it being expressly agreed that citizens of the United States shall never pay higher duties than those paid by the most favored nations: and whereas since the signature of the said treaty material modifications of the said tariff and other matters of detail connected with and having relation to the said treaty have been made under mutual discussions by commissioners appointed to that end by the Plenipotentiaries of China, Great Britain, and France, to which the assent of the United States of America is desired and now freely given, it has been determined to record such assent and agreement in the form of a supplementary treaty, to be as binding and of the same efficacy as though they had been inserted in the original treaty.

Preamble

ARTICLE I. The tariff and regulations of trade and transit hereunto attached, bearing the seals of the respective Plenipotentiaries of the United States and the Ta Tsing Empire, shall henceforward and until duly altered under the provisions of treaties be in force at the ports and places open to commerce.

Tariff hereto attached, to be enforced.

In faith whereof the respective Plenipotentiaries of the United States of America and of the Ta Tsing Empire, to wit, on the part of the United States, William B. Reed, Envoy Extraordinary and Minister Plenipotentiary; and on the part of the Ta Tsing Empire Kweiliang, a member of the Privy Council, Captain-General of the Plain White Banner Division of the Manchu Bannermen, and Superintendent of the Board of Punishments; and Hwashana, Classical Reader at Banquets, President of the Board of Civil Office, Captain-General of the Bordered Blue Banner Division of the Chinese Bannermen, both of them Plenipotentiaries; with Ho Kwei-tsing, Governor-General of the two Kiang Provinces, President of the Board of War, and Guardian of the Heir-Apparent; Mingshen, President of the Ordnance Office of the Imperial Household, with the Insignia of the Second Grade; and Twan, a titular President of the Fifth Grade, member of the Establishment of the General Council, and one of the junior under Secretaries of the Board of Punishments, all of them special Imperial Commissioners deputed for the purpose, have signed and sealed these presents.

Contracting parties.

Done at Shanghai this eighth day of November, in the year of our Lord one thousand eight hundred and fifty-eight, and the Independence

Signatures.

of the United States of America the eighty-third, and in the eighth year of Hienfung the tenth month and third day.

WILLIAM B. REED.	} [SEAL.]
KWEILIANG.	
HWASHANA.	
HO KWEI-TSING.	
MINGSHEN.	
TWAN.	[SEAL.]

TARIFF ON IMPORTS.

Tariff on im- ports.		T.	M.	C.	C.
Agar-agar, per 100 catties.....		0	1	5	0
Asafetida, do		0	6	5	0
Beeswax, yellow, per 100 catties.....		1	0	0	0
Betelnut, do		0	1	5	0
Betelnut, husk, do		0	0	7	5
Bicho de Mar, black, do		1	5	0	0
Do white, do		0	3	5	0
Bird nests, 1st quality, per catty		0	5	5	0
Do 2d do do		0	4	5	0
Do 3d do or uncleaned, per catty.....		0	1	5	0
Buttons, brass, per gross.....		0	0	5	5
Camphor, baroos, clean, per catty.....		1	3	0	0
Do. refuse, do		0	7	2	0
Canvas and cotton duck, not exceeding fifty yards long, per piece		0	4	0	0
Cardamoms, superior, per 100 catties		1	0	0	0
Do. inferior, or grains of Paradise, per 100 catties		0	5	0	0
Cinnamon, per 100 catties		1	5	0	0
Clocks, 5 per cent. ad valorem.					
Cloves, per 100 catties.....		0	5	0	0
Cloves, mother, per 100 catties.....		0	1	8	0
Coal, foreign, per ton.....		0	0	5	0
Cochineal, per 100 catties.....		5	0	0	0
Coral, per catty.....		0	1	0	0
Cordage, Manilla, per 100 catties.....		0	3	5	0
Cornelians, per 100 stones.....		0	3	0	0
Do beads, per 100 catties.....		7	0	0	0
Cotton, raw, per 100 catties.....		0	3	5	0
Cotton piece goods, gray, white, plain, and twilled, exceed- ing 34 inches wide, and not exceeding 40 yards long, per piece.....		0	0	8	0
Cotton piece goods, exceeding 34 inches wide, and exceed- ing 40 yards long, per every 10 yards.....		0	0	2	0
Cotton piece goods, drills and jeans, not exceeding 30 inches wide, and not exceeding 40 yards long, per piece....		0	1	0	0
Cotton piece goods, drills and jeans, not exceeding 30 inches wide, and not exceeding 30 yards long, per piece....		0	0	7	5
Cotton piece goods, T cloths, not exceeding 34 inches wide, and not exceeding 48 yards long, per piece.....		0	0	8	0
Cotton piece goods, T cloths, not exceeding 34 inches wide, and not exceeding 24 yards long, per piece.....		0	0	4	0
Cotton, dyed, figured, and plain, not exceeding 36 inches wide, and not exceeding 40 yards long, per piece....		0	1	5	0
Cotton, fancy, white brocade and white spotted shirtings, not exceeding 36 inches wide, and not exceeding 40 yards long, per piece.....		0	1	0	0

	T.	M.	C.	C.	Tariff on imports
Cotton, printed chintzes and furnitures, not exceeding 31 inches wide, and not exceeding 30 yards long, per piece.....	0	0	7	0	
Cotton cambrics, not exceeding 46 inches wide, and not exceeding 24 yards long, per piece.....	0	0	7	0	
Cotton cambrics, not exceeding 46 inches wide, and not exceeding 12 yards long, per piece.....	0	0	3	5	
Cotton muslins, not exceeding 46 inches wide, and not exceeding 24 yards long, per piece.....	0	0	7	5	
Cotton muslins, not exceeding 46 inches wide, and not exceeding 12 yards long, per piece.....	0	0	3	5	
Cotton damasks, not exceeding 36 inches wide, and not exceeding 40 yards long, per piece.....	0	2	0	0	
Cotton dimities, or quiltings, not exceeding 40 inches wide, and not exceeding 12 yards long, per piece.....	0	0	6	5	
Cotton ginghams, not exceeding 28 inches wide, and not exceeding 30 yards long, per piece.....	0	0	3	5	
Cotton handkerchiefs, not exceeding one yard square, per dozen.....	0	0	2	5	
Cotton fustians, not exceeding 35 yards long, per piece...	0	2	0	0	
Cotton velveteens, not exceeding 34 yards long.....	0	1	5	0	
Cotton thread, per 100 catties.....	0	7	2	0	
Do yarn, per 100 catties.....	0	7	0	0	
Cow bezoar, Indian, per catty.....	1	5	0	0	
Cutch, per 100 catties.....	0	1	8	0	
Elephants' teeth, whole, per 100 catties.....	4	0	0	0	
Do do broken, do do.....	3	0	0	0	
Feathers, kingfisher's, peacock's, per 100.....	0	4	0	0	
Fishmaws, per 100 catties.....	1	0	0	0	
Fishskin, do.....	0	2	0	0	
Flints, do.....	0	0	3	0	
Gambier, do.....	0	1	5	0	
Gamboge, do.....	1	0	0	0	
Ginseng, American crude, per 100 catties.....	6	0	0	0	
Do clarified, do.....	8	0	0	0	
Glass, window, per box of 100 square feet.....	0	1	5	0	
Glue, per 100 catties.....	0	1	5	0	
Gold thread, real, per catty.....	1	6	0	0	
Do imitation, per catty.....	0	0	3	0	
Gum, benjamin, per 100 catties.....	0	6	0	0	
Do oil of, per 100 catties.....	0	6	0	0	
Gum, dragon's blood do.....	0	4	5	0	
Gum, myrrh do.....	0	4	5	0	
Gum, olibanum do.....	0	4	5	0	
Hides, buffalo and cow do.....	0	5	0	0	
Hides, rhinoceros do.....	0	4	2	0	
Horns, buffalo do.....	0	2	5	0	
Horns, deer do.....	0	2	5	0	
Horns, rhinoceros do.....	2	0	0	0	
Indigo, liquid do.....	0	1	8	0	
Isinglass do.....	0	6	5	0	
Lacquered ware do.....	1	0	0	0	
Leather do.....	0	4	2	0	
Linen, fine, as Irish or Scotch, not exceeding 50 yards long, per piece.....	0	5	0	0	
Linen, coarse, as linen and cotton, or silk and linen mixtures, not exceeding 50 yards long, per piece.....	0	2	0	0	
Lucraban seed, per 100 catties.....	0	0	3	5	

	T.	M.	C.	C.
Tariff on imports. Mace	1	0	0	0
Mangrove bark	0	0	3	0
Metals, copper, manufactured, as in sheets, rods, nails, per 100 catties	1	5	0	0
Metals, copper, unmanufactured, as in slabs, per 100 cat- ties	1	0	0	0
Metals, copper, yellow metal sheathing and nails, per 100 catties	0	9	0	0
Metals, copper, Japan, per 100 catties	0	6	0	0
Metals, iron, manufactured, as in sheets, rods, bars, hoops, per 100 catties	0	1	2	5
Metals, iron, unmanufactured, as in pigs, per 100 catties ..	0	0	7	5
Metals, iron, kentledge, per 100 catties	0	0	1	0
Do wire do	0	2	5	0
Metals, lead, in pigs do	0	2	5	0
Do in sheets do	0	5	5	0
Metals, quicksilver do	2	0	0	0
Metals, spelter, saleable only under regulation appended, per 100 catties	0	2	5	0
Metals, steel, per 100 catties	0	2	5	0
Metals, tin do	1	2	5	0
Metals, tin plates do	0	4	0	0
Mother o' pearl shell, per 100 catties	0	2	0	0
Musical boxes, 5 per cent. ad valorem.				
Mussels, dried, per 100 catties	0	2	0	0
Nutmegs do	2	5	0	0
Olives, unpickled, salted, or pickled, per 100 catties	0	1	8	0
Opium, per 100 catties	30	0	0	0
Pepper, black, per 100 catties	0	3	6	0
Pepper, white do	0	5	0	0
Prawns, dried do	0	3	6	0
Putchuck do	0	6	0	0
Rattans do	0	1	5	0
Rose maloes do	1	0	0	0
Salt fish do	0	1	8	0
Saltpetre, saleable only under regulation appended, per 100 catties	0	5	0	0
Sandalwood, per 100 catties	0	4	0	0
Sapan wood do	0	1	0	0
Sea-horse teeth do	2	0	0	0
Shark's fins, black, per 100 catties	0	5	0	0
Do white do	1	5	0	0
Shark's skins, per hundred	2	0	0	0
Silver thread, real, per catty	1	3	0	0
Do. imitation, per catty	0	0	3	0
Sinews, buffalo and deer, per 100 catties	0	5	5	0
Skins, fox, large, each	0	1	5	0
Skins, fox, small, each	0	0	7	5
Skins, marten, each	0	1	5	0
Skins, sea otter, each	1	5	0	0
Skins, tiger and leopard, each	0	1	5	0
Skins, beaver, per hundred	5	0	0	0
Skins, doe, hare, and rabbit, per hundred	0	5	0	0
Skins, squirrel do	0	5	0	0
Skins, land otter do	2	0	0	0
Skins, racoon do	2	0	0	0
Smalts, per hundred catties	1	5	0	0
Suuff, foreign, per hundred catties	7	2	0	0

	T.	M.	C.	C.	
Sticklac, per hundred catties	0	3	0	0	Tariff on imports.
Stockfish, do do	0	5	0	0	
Sulphur and brimstone, saleable only under regulation appended	0	2	0	0	
Telescopes, spy and opera glasses, looking-glasses, and mirrors, 5 per cent. ad valorem.					
Tiger's bones, per 100 catties	1	5	5	0	
Timber, masts and spars, hard-wood, not exceeding 40 feet each	4	0	0	0	
Timber, masts and spars, hard-wood, not exceeding 60 feet each	6	0	0	0	
Timber, masts and spars, hard-wood, exceeding 60 feet each	10	0	0	0	
Timber, masts and spars, soft-wood, not exceeding 40 feet each	2	0	0	0	
Timber, masts and spars, soft-wood, not exceeding 60 feet each	4	5	0	0	
Timber, masts and spars, soft-wood, exceeding 60 feet each	6	5	0	0	
Timber, beams, hard-wood, not exceeding 26 feet long and under 12 inches square, each	0	1	5	0	
Timber, planks, hard-wood, not exceeding 24 feet long, 12 inches wide, and three inches thick, per 100	3	5	0	0	
Timber, planks, hard-wood, not exceeding 16 feet long, 12 inches wide, and three inches thick, per 100	2	0	0	0	
Timber, plank, soft-wood, per 1,000 square feet	0	7	0	0	
Timber, plank, teak, per cubic foot	0	0	3	5	
Tinder, per 100 catties	0	3	5	0	
Tortoise shell, per catty	0	2	5	0	
Tortoise shell, broken, per catty	0	0	7	2	
Umbrellas, each	0	0	3	5	
Velvets, not exceeding 34 yards long, per piece	0	1	8	0	
Watches, per pair	1	0	0	0	
Watches, émailées à perles, per pair	4	5	0	0	
Wax, Japan, per 100 catties	0	6	5	0	
Woods, camagon, per 100 catties	0	0	3	0	
Do ebony, per 100 catties	0	1	5	0	
Do garroo, per 100 catties	2	0	0	0	
Do fragrant, per 100 catties	0	4	5	0	
Do kranjee, 35 feet long, 1 foot 8 inches wide, and 1 foot thick, each	0	8	0	0	
Do laka, per 100 catties	0	1	4	5	
Do red, do do	0	1	1	5	
Woollen manufactures, viz: blankets, per pair	0	2	0	0	
Woollen broadcloth and Spanish stripes, habit and medium cloth, 51 a 64 inches wide, per chang	0	1	2	0	
Woollen, long ells, 31 inches wide, per chang	0	0	4	5	
Woollen camlets, English, 31 inches wide, per chang	0	0	5	0	
Woollen camlets, Dutch, 33 inches wide, per chang	0	1	0	0	
Woollen camlets, imitation and bomazettes, per chang	0	0	3	5	
Woollen cassimeres, flannel, and narrow cloths, per chang	0	0	4	0	
Woollen lastings, 31 inches wide, per chang	0	0	5	0	
Woollen lastings, imitation and Orleans, 34 inches wide, per chang	0	0	3	5	
Woollen bunting, not exceeding 24 inches wide, 40 yards long, per piece	0	2	0	0	
Woollen and cotton mixtures, viz: lustres, plain and broad-caded, not exceeding 31 yards long, per piece	0	2	0	0	
Woollen, inferior Spanish stripes, per chang	0	1	0	0	
Woollen yarn, per 100 catties	3	0	0	0	

TARIFF ON EXPORTS.

Tariff on ex-
ports.

	T.	M.	C.	C
Alum, per 100 catties.....	0	0	4	5
Alum, green or copperas, per 100 catties.....	0	1	0	0
Aniseed, star, per 100 catties.....	0	5	0	0
Aniseed, broken, do do	0	2	5	0
Aniseed, oil, do do	5	0	0	0
Apricot seeds, or almonds, per 100 catties.....	0	4	5	0
Arsenic, per 100 catties.....	0	4	5	0
Artificial flowers, per 100 catties.....	1	5	0	0
Bamboo ware, per 100 catties.....	0	7	5	0
Bangles, or glass armlets, per 100 catties.....	0	5	0	0
Beans and peas, (except from New Chwang and Tang Chow,) per 100 catties.....	0	0	6	0
Bean cake, (except from New Chwang and Tang Chow,) per 100 catties.....	0	0	3	5
Bone and horn ware, per 100 catties.....	1	5	0	0
Brass buttons, do	3	0	0	0
Brass foil, do	1	5	0	0
Brass ware, do	1	0	0	0
Brass wire, do	1	1	5	0
Camphor, per 100 catties.....	0	7	5	0
Canes, per thousand.....	0	5	0	0
Cantharides, per 100 catties.....	2	0	0	0
Capoor cutchery, do	0	3	0	0
Carpets and druggets, per hundred.....	3	5	0	0
Cassia lignea, per 100 catties.....	0	6	0	0
Cassia buds, do	0	8	0	0
Cassia twigs, do	0	1	5	0
Cassia oil, do	9	0	0	0
Castor oil, do	0	2	0	0
Chestnuts, do	0	1	0	0
China root, do	0	1	3	0
Chinaware, fine, do	0	9	0	0
Do coarse, do	0	4	5	0
Cinnabar, per 100 catties.....	0	7	5	0
Clothing, cotton, per 100 catties.....	1	5	0	0
Do silk, do	10	0	0	0
Coal, do	0	0	4	0
Coir, do	0	1	0	0
Copper ore, do	0	5	0	0
Copper sheathing, old, per 100 catties.....	0	5	0	0
Copper and pewter ware, per 100 catties.....	1	1	5	0
Corals, false, per 100 catties.....	0	3	0	5
Cotton, raw, do	0	3	0	5
Cotton rags, do	0	0	4	5
Cow Bezoar, per catty.....	0	3	6	0
Crackers, fireworks, per 100 catties.....	0	5	0	0
Cubebs, per 100 catties.....	1	5	0	0
Curiosities, antiques, 5 per cent, ad valorem.				
Dates, black, per 100 catties.....	0	1	5	0
Dates, red, do	0	0	9	0
Dye, green, per catty.....	0	8	0	0
Eggs, preserved, per thousand.....	0	3	5	0
Fans, feather, per hundred.....	0	7	5	0
Fans, paper, do	0	0	4	5
Fans, palm leaf, trimmed, per thousand.....	0	3	6	0
Do untrimmed, do	0	2	0	0
Felt cuttings, per 100 catties.....	0	1	0	0

	T.	M.	C.	G.	
Felt caps, per hundred.....	1	2	5	0	Tariff on exports.
Fungus, or agaric, per 100 catties.....	0	6	0	0	
Galangal, do	0	1	0	0	
Garlic, do	0	0	3	5	
Ginseng, native, 5 per cent. ad valorem.					
Ginseng, Corean or Japan, first quality, per catty.....	0	5	0	0	
Do do second do	0	3	5	0	
Glass beads, per 100 catties.....	0	5	0	0	
Glass, or vitrified ware, per 100 catties.....	0	5	0	0	
Grass cloth, fine, do	2	5	0	0	
Do coarse, do	0	7	5	0	
Ground nuts, do	0	1	0	0	
Do cake, do	0	0	3	0	
Gypsum, ground, or plaster of Paris, per 100 catties.....	0	0	3	0	
Hair, camels, per 100 catties.....	1	0	0	0	
Hair, goats', do	0	1	8	0	
Hams, do	0	5	5	0	
Hartall, or orpiment, per 100 catties.....	0	3	5	0	
Hemp, per 100 catties.....	0	3	5	0	
Honey, do	0	9	0	0	
Horns, deer's, young, per pair.....	0	9	0	0	
Do old, per 100 catties.....	1	3	5	0	
India ink, do	4	0	0	0	
Indigo, dry, do	1	0	0	0	
Ivory ware, per catty.....	0	1	5	0	
Joss sticks, per 100 catties.....	0	2	0	0	
Kittysols, or paper umbrellas, per hundred.....	0	5	0	0	
Lacquered ware, per 100 catties.....	1	0	0	0	
Lamp wicks, do	0	6	0	0	
Lead, red, (minium) do	0	3	5	0	
Lead, white, (ceruse) do	0	3	5	0	
Lead, yellow, (massicot) do	0	3	5	0	
Leather articles, as pouches, purses, per 100 catties.....	1	5	0	0	
Leather, green, per 100 catties.....	1	8	0	0	
Lichees, do	0	2	0	0	
Lily flowers, dried, do	0	2	7	0	
Lily seeds, or lotus nuts, per 100 catties.....	0	5	0	0	
Liquorice, do	0	1	3	5	
Lung-ngan, do	0	2	5	0	
Lung-ngan, without the stone, do	0	3	5	0	
Manure cakes, or poudrette, do	0	0	9	0	
Marble slabs, do	0	2	0	0	
Mats of all kinds, per hundred.....	0	2	0	0	
Matting, per roll of 40 yards.....	0	2	0	0	
Melon seeds, per 100 catties.....	0	1	0	0	
Mother o' pearl ware, per catty.....	0	1	0	0	
Mushrooms, per 100 catties.....	1	5	0	0	
Musk, per catty.....	0	9	0	0	
Nankeen and native cotton cloths, per 100 catties.....	1	5	0	0	
Nutgalls, per 100 catties.....	0	5	0	0	
Oil, as bean, tea, wood, cotton, and hemp seed, per 100 catties	0	3	0	0	
Oiled paper, per 100 catties.....	0	4	5	0	
Olive seed, do	0	3	0	0	
Oyster shell, sea shell, per 100 catties.....	0	0	9	0	
Paint, green.....	0	4	5	0	
Palampore, or cotton bedquilts, per hundred.....	2	7	5	0	
Paper, first quality, per 100 catties.....	0	7	0	0	

	T.	M.	C.	C.
Tariff on exports. Paper, second quality, per 100 catties.....	0	4	0	0
Pearls, false, do	2	0	0	0
Peel, orange, do	0	3	0	0
Peel, pumelo, first quality, do	0	4	5	0
Peel, pumelo, second quality, do	0	1	5	0
Peppermint leaf, do	0	1	0	0
Peppermint oil, do	3	5	0	0
Pictures and paintings, each.....	0	1	0	0
Pictures on pith or rice paper, per hundred.....	0	1	0	0
Pottery, earthenware, per 100 catties.....	0	0	5	0
Preserve, comfits, and sweetmeats, per 100 catties.....	0	5	0	0
Rattans, split, per 100 catties.....	0	2	5	0
Rattan ware, do	0	3	0	0
Rhubarb, do	1	2	5	0
Rice or paddy wheat, millet, and other grains, per 100 catties	0	1	0	0
Rugs of hair or skin, each.....	0	0	9	0
Shamshoo, per 100 catties.....	0	1	5	0
Sandal-wood ware, per catty.....	0	1	0	0
Sea weed, per 100 catties.....	0	1	5	0
Sesamum seed, do	0	1	3	5
Shoes and boots, leather or satin, per one hundred pairs..	3	0	0	0
Shoes, straw, per one hundred pairs.....	0	1	8	0
Silk, raw and thrown, per 100 catties.....	10	0	0	0
Silk, yellow, from Szechuen, per 100 catties.....	7	0	0	0
Silk, reeled from Dupions, do	5	0	0	0
Silk, wild raw, do	2	5	0	0
Silk, refuse, do	1	0	0	0
Silk, cocoons, do	3	0	0	0
Silk, floss, Canton, do	4	3	0	0
Silk, floss, from other provinces, do	10	0	0	0
Silk, ribbons and thread, do	10	0	0	0
Silk, piece goods, pongees, shawls, scarfs, crape, satin, gauze velvet and embroidered goods, per 100 catties.....	12	0	0	0
Silk, piece goods, Szechuen and Shantung, per 100 catties.	4	5	0	0
Silk, tassels, per 100 catties.....	10	0	0	0
Silk, caps, per hundred.....	0	9	0	0
Silk and cotton mixtures, per 100 catties.....	5	5	0	0
Silver and gold ware, do	10	0	0	0
Snuff, do	0	8	0	0
Soy, do	0	4	0	0
Straw braid, do	0	7	0	0
Sugar, brown, do	0	1	2	0
Sugar, white, do	0	2	0	0
Sugar, candy, do	0	2	5	0
Tallow, animal, per 100 catties.....	0	2	0	0
Tallow, vegetable, per 100 catties.....	0	3	0	0
Tea, per 100 catties.....	2	5	0	0
Tin foil, per 100 catties.....	1	2	5	0
Tobacco, prepared, per 100 catties.....	0	4	5	0
Tobacco, leaf, per 100 catties.....	0	1	5	0
Tortoise shell ware, per catty.....	0	2	0	0
Trunks, leather, per 100 catties.....	1	5	0	0
Turmeric, per 100 catties.....	0	1	0	0
Twine, hemp, Canton, per 100 catties.....	0	1	5	0
Twine, hemp, Soochow, per 100 catties.....	0	5	0	0
Turnips, salted, per 100 catties.....	0	1	8	0
Varnish, or crude lacquer, per 100 catties.....	0	5	0	0

	T.	M.	C.	C.	
Vermicelli, per 100 catties.....	0	1	8	0	Tariff on exports.
Vermillion, per 100 catties.....	2	5	0	0	
Wax, white or insect, per 100 catties.....	1	5	0	0	
Wood, piles, poles, and joists, each.....	0	0	3	0	
Wood, ware, per 100 catties.....	1	1	5	0	
Wool, per 100 catties.....	0	3	5	0	

WILLIAM B. REED, [SEAL.]

RULE I.

Unenumerated Goods.

Unenumerated goods.

Articles not enumerated in the list of exports, but enumerated in the list of imports, when exported, shall pay the amount of duty set against them in the list of imports; and similarly, articles not enumerated in the list of imports, but enumerated in the list of exports, when imported, will pay the amount of duty set against them in the list of exports.

Articles not enumerated in either list, nor in the list of duty free goods, shall pay an *ad valorem* duty of five per cent., calculated upon their market value.

RULE II.

Duty Free Goods.

Goods, duty free.

Gold and silver bullion, foreign coins, flour, Indian meal, sago, biscuit, preserved meats, and vegetables.

Cheese, butter, confectionery.

Foreign clothing, jewelry, plated ware, perfumery, soap of all kinds.

Charcoal, firewood, candles, (*foreign*.) tobacco, (*foreign*.) cigars, (*foreign*.)

Wine, beer, spirits, household stores, ships' stores, personal baggage, stationery, carpetting, druggetting, cutlery, foreign medicines, and glass and crystal ware.

The above commodities pay no import or export duty; but, if transported into the interior will, with the exception of personal baggage, gold and silver bullion, and foreign coins, pay a transit duty at the rate of two and a half per cent. *ad valorem*.

A freight or part freight of duty free goods (personal baggage, gold and silver bullion, and foreign coins excepted) will render the vessel carrying them, though no other be on board, liable to tonnage dues.

RULE III.

Contraband Goods.

Contraband.

Import and export trade is alike prohibited in the following articles:

Gunpowder, shot, cannon, fowling-pieces, rifles, muskets, pistols, and all other munitions and implements of war, and salt.

RULE IV.

Weights and Measures.

Weights and measures.

In the calculations of the tariff the weight of a pecul of one hundred catties is held to be equal to one hundred and thirty-three and one third pounds avoirdupois, and the length of a *chang* of ten Chinese feet to be equal to one hundred and forty-one English inches.

One Chinese *chih* is held to equal fourteen and one tenth inches English, and four yards English, less three inches, to equal one *chang*.

RULE V.

Restrictions re-
laxed on*Regarding certain Commodities heretofore Contraband.*

The restrictions affecting trade in opium, cash, grain, pulse, sulphur, brimstone, saltpetre, and spelter, are relaxed under the following conditions :

Opium,

1. Opium will henceforth pay thirty taels per pecul import duty. The importer will sell it only at the port. It will be carried into the interior by Chinese only, and only as Chinese' property ; the foreign trader will not be allowed to accompany it. The provision of the treaty of Tientsin, conferring privileges by virtue of the most favored clause, so far as respects citizens of the United States going into the interior to trade or paying transit duties, shall not extend to the article of opium, the transit duties on which will be arranged as the Chinese Government see fit ; nor in future revisions of the tariff is the same rule of revision to be applied to opium as to other goods.

Copper cash,

2. *Copper cash.* — The export of cash to any foreign port is prohibited ; but it shall be lawful for citizens of the United States to ship it at one of the open ports of China to another on compliance with the following regulation: The shipper shall give notice of the amount of cash he desires to ship, and the port of its destination, and shall bind himself, either by a bond with two sufficient sureties, or by depositing such other security as may be deemed by the customs satisfactory, to return, within six months from the date of clearance, to the collector at the port of shipment, the certificate issued by him, with an acknowledgment thereon of the receipt of cash at the port of destination by the collector at that port, who shall thereto affix his seal ; or, failing the production of the certificate, to forfeit a sum equal in value to the cash shipped.

Cash will pay no duty inwards or outwards but a freight, or part-freight of cash, though no other cargo be on board, will render the vessel carrying it liable to tonnage dues.

Rice and other
grains,

3. The export of rice and all other grains whatsoever, native or foreign, no matter where grown or whence imported, to any foreign port, is prohibited ; but these commodities may be carried by citizens of the United States from one of the open ports of China to another, under the same conditions in respect to security as cash, on payment at the port of shipment of the duty specified in the tariff.

No import duty shall be levyable upon rice or grain, but a freight or part freight of rice or grain, though no other cargo be on board, will render the vessel importing it liable to tonnage dues.

Pulse and
bean cake,

4. *Pulse.* — The export of pulse and bean cake from Tang-Chau and Nin-Chwang under the American flag is prohibited. From any of the other open ports they may be shipped, on payment of the tariff duty, either to other ports of China or to foreign countries.

Saltpetre, sul-
phur, &c.

5. Saltpetre, sulphur, brimstone, and spelter, being deemed by the Chinese to be munitions of war, shall not be imported by citizens of the United States save at the requisition of the Chinese government, or for sale to Chinese duly authorized to purchase them. No permit to land them shall be issued until the customs have proof that the necessary authority has been given to the purchaser. It shall not be lawful for citizens of the United States to carry these commodities up the Yang-tsz-Kiang, or into any port other than those open on the sea-board, nor to accompany them into the interior on behalf of Chinese. They must be sold at the ports only, and, except at the ports, they will be regarded as Chinese property.

Infractions of
conditions to
cause confisca-
tion.

Infractions of the conditions, as above set forth, under which trade in opium, cash, grain, pulse, sulphur, brimstone, saltpetre, and spelter may be henceforward carried on, will be punishable by confiscation of all the goods concerned.

RULE VI.

Liability of Vessels Entering Port.

For the prevention of misunderstanding, it is agreed that American vessels must be reported to the Consul within twenty-four hours, counting from the time the vessel comes within the limits of the port, and that the same rule be applied to the forty-eight hours allowed by article 19 of the treaty to remain in port without payment of tonnage dues.

Liabilities of vessels entering port.

The limits of the ports shall be defined by the customs, with all consideration for the convenience of trade, compatible with due protection of the revenue; also, the limits of the anchorages within which lading and discharging are permitted by the customs, and the same shall be notified to the Consuls for public information.

Limits of ports.

RULE VII.

Transit Dues.

It is agreed that the amount of transit dues legally levyable upon merchandise imported or exported shall be one half the tariff duties, except in the case of the duty free goods liable to a transit duty of two and a half per cent. ad valorem, as provided in No. 2 of these Rules.

Transit dues. Amount.

Merchandise shall be cleared of its transit dues under the following regulations:

In the case of imports. Notice being given at the port of entry from which the imports are to be forwarded inland of the nature and quantity of the goods, the ship from which they have been landed, and the place inland to which they are bound, with all other necessary particulars, the collector of customs shall, on due inspection made, and on receipt of the transit duty due, issue a transit duty certificate. This must be produced at every barrier station, and viséed. No further duty will be levyable upon imports so certificated, no matter how distant the place of their destination.

Imports.

In the case of exports. Produce purchased by a citizen of the United States in the interior will be inspected and taken account of at the first barrier it passes on its way to the port of shipment. A memorandum, showing the amount of the produce, and the port at which it is to be shipped, will be deposited there by the person in charge of the produce. He will then receive a certificate, which must be exhibited and viséed at every barrier on his way to the port of shipment. On the arrival of the produce at the barrier nearest the port notice must be given to the customs at the port, and the transit dues due thereon being paid it will be passed. On exportation the produce will pay the tariff duty.

Exports.

Any attempt to pass goods inwards or outwards, otherwise than in compliance with the rule here laid down, will render them liable to confiscation. Unauthorized sale *in transitu* of goods that have been entered as above for a port will render them liable to confiscation. Any attempt to pass goods in excess of the quantity specified in the certificate will render all the goods of the same denomination named in the certificate liable to confiscation. Permission to export produce which cannot be proved to have paid its transit dues will be refused by the customs until the transit dues shall have been paid.

Penalty for violation of these rules.

RULE VIII.

Trade with the Capital.

It is agreed that no citizen of the United States shall have the privilege of entering the capital city of Peking for the purposes of trade.

Trade with the Capital.

RULE IX.

Abolition of the Meltage Fee.

Meltage fee
abolished.

It is agreed that the per centage of one tael, two mace hitherto charged, in excess of duty payments, to defray the expenses of melting by the Chinese Government, shall no longer be levied on citizens of the United States.

RULE X.

Collection of Duties under one System at all Ports.

System of col-
lection of duties.

It being, by treaty, at the option of the Chinese Government to adopt what means appear to it best suited to protect its revenue accruing on American trade, it is agreed that one uniform system shall be enforced at every port.

Prevention of
smuggling.

Lights, bea-
cons, &c.

The high officer appointed by the Chinese Government to superintend foreign trade will accordingly, from time to time, either himself visit, or will send a deputy to visit, the different ports. The said high officer will be at liberty of his own choice, independently of the suggestion or nomination of any American authority, to select any citizen of the United States he may see fit to aid him in the administration of the customs revenue, in the prevention of smuggling, in the definition of port boundaries, or in discharging the duties of harbor-master; also, in the distribution of lights, buoys, beacons, and the like, the maintenance of which shall be provided for out of the tonnage dues.

The Chinese government will adopt what measures it shall find requisite to prevent smuggling up the Yang-tsz-Kiang, when that river shall be open to trade.

WILLIAM B. REED, [SEAL.]

Convention between the United States and China for the Adjustment of Claims, Concluded November 8, 1858.

November 8, 1858.

IN order to carry into effect the Convention made at Tien-tsin by the High Commissioners and Plenipotentiaries respectively representing the United States of America and the Ta Tsing Empire, for the satisfaction of claims of American citizens, by which it was agreed that one fifth of all tonnage, import, and export duties payable on American ships and goods shipped in American vessels at the ports of Canton, Shanghai, and Fuh-chau, to an amount not exceeding six hundred thousand taels, should be applied to that end; and the Plenipotentiary of the United States, actuated by a friendly feeling towards China, is willing, on behalf of the United States, to reduce the amount needed for such claims to an aggregate of five hundred thousand taels, it is now expressly agreed by the high contracting parties in the form of a supplementary Convention, as follows :

Preamble.

ARTICLE I. That on the first day of the next Chinese year the Collectors of Customs at the said three ports shall issue debentures to the amount of five hundred thousand taels, to be delivered to such persons as may be named by the Minister or chief diplomatic officer of the United States in China, and it is agreed that the amount shall be distributed as follows : Three hundred thousand taels at Canton, one hundred thousand taels at Shanghai, and one hundred thousand taels at Fuh-chau, which shall be received in payment of one fifth of the tonnage, export, and import duties on American ships, or goods in American ships at the said ports, and it is agreed that this amount shall be in full liquidation of all claims of American citizens at the various ports to this date.

Debentures to amount of 500,000 taels to be issued in full liquidation of all claims of American citizens. Distribution.

In faith whereof the respective Plenipotentiaries of the United States of America and of the Ta-Tsing Empire ; that is to say, on the part of the United States, William B. Reed, Envoy Extraordinary and Minister Plenipotentiary, and on the part of the Ta-Tsing Empire —

Contracting parties.

Kweiliang, a member of the Privy Council, Captain-General of the Plain White Banner Division of the Manchu Bannermen, and Superintendent of the Board of Punishments, and Hwashana, Classical Reader at Banquets, President of the Board of Civil Office, Captain-General of the Bordered Blue Banner Division of the Chinese Bannermen, both of them Plenipotentiaries, with Ho-Kwei-tsing, Governor-General of the two Kiang Provinces, President of the Board of War, and Guardian of the Heir-Apparent ; Mingshen, President of the Ordnance Office of the Imperial Household, with the Insignia of the Second Grade, and Twan, a titular President of the Fifth Grade, member of the Establishment of the General Council, and one of the Junior under Secretaries of the Board of Punishments, all of them special Imperial Commissioners deputed for the purpose, have signed and sealed these presents.

Done at Shanghai this eighth day of November, in the year of our Lord one thousand eight hundred and fifty-eight, and of the Independence of the United States the eighty-third, and in the eighth year of Hienfung, the tenth month and third day.

Signature.

WILLIAM B. REED.	[SEAL.]
KWEILIANG.	}
HWASHANA.	
HO-KWEI-TSING.	
MINGSHEN.	
TWAN.	
	[SEAL.]

Convention between the United States of America and the Republic of Chile. Arbitration of Macedonian Claims. Concluded at Santiago, November 10, 1858. Ratified, August 4, 1859. Exchanged, October 15, 1859. Proclaimed by the President of the United States, December 22, 1859.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA : Nov. 10, 1858.

A PROCLAMATION.

WHEREAS a convention, providing for the reference to an arbiter of the questions relative to a sum of money, the proceeds of the cargo of the brig Macedonian, between the United States of America and the Republic of Chile, was concluded and signed by their respective plenipotentiaries at Santiago, on the tenth day of November, one thousand eight hundred and fifty-eight; which convention, being in the English and Spanish languages, is, word for word, as follows :

Preamble.

Convention between the United States of America and the Republic of Chile.

Convencion entre la Republica de Chile i los Estados-Unidos de America.

The government of the United States of America and the government of the Republic of Chile, desiring to settle amicably the claim made by the former upon the latter for certain citizens of the United States of America, who claim to be the rightful owners of the silver in coin and in bars forcibly taken from the possession of Captain Eliphalet Smith, a citizen of the United States of America, in the valley of Sitana, in the territory of the former Vice Royalty of Peru, in the year 1821, by order of Lord Cochrane, at the time Vice Admiral of the Chilean Squadron,—have agreed, the former to name John Bigler, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, and the latter Don Gerónimo Urmeneta, Minister of State in the Department of the Interior and of Foreign Relations, in the name and in behalf of their respective governments, to examine said claim and to agree upon terms of arrangement just and honorable to both governments.

El Gobierno de la Republica de Chile i el Gobierno de los Estados Unidos de América, deseando arreglar amistosamente la reclamacion entablada por el segundo contra el primero, à nombre de ciertos ciudadanos de los Estados-Unidos que pretenden ser los legítimos dueños de la plata sellada i en barra violentamente quitada al Capitan Eliphalet Smith ciudadano de los Estados-Unidos de América, en el valle de Sitana, territorio del antiguo Virreinato del Perú, en el año 1821, por órden de Lord Cochrane, à la sazón Vice-Almirante de la Escuadra de Chile; han convenido en nombrar, el primero á Don Gerónimo Urmeneta, Ministro de Estado en los Departamentos del Interior i de Relaciones Exteriores, i el segundo al Señor Juan Bigler, Enviado Extraordinario i Ministro Plenipotenciario de los Estados-Unidos de América, para que á nombre de sus respectivos Gobiernos examinen dicha reclamacion i acuerden los términos de un arreglo justo i honroso para ambos Países. Dichos Plenipotenciarios, despues de haber canjeado sus respectivos Plenos-Poderes i hallados en buena i debida forma, sin-

Contracting parties.

Claim to be settled.

Negotiators.

The aforesaid plenipotentiaries, after having exchanged their full powers, and found them in due and

Exchange of powers.

Matter in dispute to be submitted to the arbitration of the King of Belgium.

good form, sincerely desiring to preserve intact and strengthen the friendly relations which happily exist between their respective governments, and to remove all cause of difference, which might weaken or change them, have agreed, in the name of the government which each represents, to submit to the arbitration of his Majesty the King of Belgium, the pending question between them, respecting the legality or illegality of the above referred to capture of silver in coin and in bars, made on the ninth day of May, 1821, by order of Lord Cochrane, Vice Admiral of the Chilean squadron, in the valley of Sitana, in the territory of the former Vice Royalty of Peru, the proceeds of sales of merchandise imported into that country in the brig Macedonian, belonging to the merchant marine of the United States of America.

Therefore the above-named ministers agree to name his Majesty the King of Belgium as arbiter, to decide with full powers and proceedings *ex æquo et bono*, on the following points :

Points for arbiter to decide. justice of claim.

First. Is, or is not, the claim which the government of the United States of America makes upon that of Chile, on account of the capture of silver mentioned in the preamble of this convention, just in whole or in part ?

amount.

Second. If it be just in whole or in part, what amount is the government of Chile to allow and pay to the government of the United States of America, as indemnity for the capture ?

interest.

Third. Is the government of Chile, in addition to the capital, to allow interest thereon ; and, if so, at what rate and from what date is interest to be paid ?

Proof upon which the umpire is to decide.

The contracting parties further agree that his Majesty the King of Belgium shall decide the foregoing questions upon the correspondence which has passed between the representatives of the two governments at Washington and at Santiago, and the documents and other proofs produced during the controversy on the subject of this capture, and upon a

ceramente deseosos de mantener intactas i estrechar las relaciones amistosas que felizmente existen entre sus respectivos Gobiernos, i de alejar todo motivo de diferencia que pudiera menos cabarlas o alterarlas, han convenido, á nombre de los Gobiernos que uno i otro representan, en someter al Arbitraje de su Majestad el Rei de los Belgas la referida cuestion pendiente entre ellos, sobre lejitimidad o ilejitimidad del apresamiento de una suma de plata acuñada i en barra hecho el 9 de Mayo de 1821, por órden de Lord Cochrane, Vice-Almirante de la Escuadra de Chile, en el valle de Sitana, territorio del antiguo Vireinato del Perú, como procedenté dicha suma de la venta de mercaderias importadas en ese Estado á bordo del bergantin "Macenian," de la Marina de los Estados-Unidos.

En consecuencia, los referidos Ministros convienen en nombrar á Su Majestad el Rei de los Belgas para que como Arbitro decida con Plenos-Poderes i procediendo *ex æquo et bono*, sobre los puntos siguientes :

Primero. Es o no justo en el todo o en parte el reclamo que el Gobierno de los Estados-Unidos de América hace al de Chile, con motivo del apresamiento de la plata mencionada en el preámbulo de esta Convencion ?

Segundo. Si es justo, en todo, o en parte, qué cantidad debe el Gobierno de Chile abonar i pagar al Gobierno de los Estados-Unidos de América como indemnizacion por el apresamiento ?

Tercero. Debe el Gobierno de Chile ademas del capital abonar intereses sobre el, i si debe, cuál es la tasa del interes i desde que fecha debe pagarse ?

Las Partes Contratantes convienen ademas en que Su Majestad el Rei de los Belgas decida las siguientes anteriores cuestiones en vista de la correspondencia que ha tenido lugar entre los representantes de los dos Gobiernos en Washington i en Santiago i de los documentos i otras pruebas presentadas durante la controversia sobre la materia de este

memorial or argument thereon to be presented by each.

Each party to furnish the arbiter with a copy of the correspondence and documents above referred to, or so much thereof as it desires to present, as well as with its said memorial, within one year at furthest from the date at which they may respectively be notified of the acceptance of the arbiter.

Each party to furnish the other with a list of the papers to be presented by it to the arbiter, three months in advance of such presentation.

And if either party fail to present a copy of such papers, or its memorial, to the arbiter, within the year aforesaid, the arbiter may make his decision upon what shall have been submitted to him within that time.

The contracting parties further agree that the exception of prescription, raised in the course of the controversy, and which has been a subject of discussion between their respective governments, shall not be considered by the arbiter in his decision, since they agree to withdraw it and exclude it from the present question.

Each of the governments represented by the contracting parties is authorized to ask and obtain the acceptance of the arbiter; and both promise and bind themselves in the most solemn manner to acquiesce in and comply with his decision, nor at any time thereafter to raise any question directly or indirectly connected with the subject-matter of this arbitration.

This convention to be ratified by the governments of the respective contracting parties, and the ratifications to be exchanged within twelve months from this date, or sooner, if possible, in the city of Santiago.

In testimony whereof, the contracting parties have signed and sealed this agreement in duplicate, in the English and Spanish languages, in Santiago, the tenth day

apresamiento i en vista de un memorial o alegato (arguments) sobre ella que ambos deben presentar. Cada Parte debe suministrar al Arbitro una copia de la referida correspondencia i documentos, o de aquella parte de ellos que desee presentar, como igualmente su referido memorial, dentro de un año cuando mas contado desde la fecha en que respectivamente se les notifique la aceptacion del Arbitro.

Cada Parte debe suministrar á la otra una lista de los papeles que debe presentar, con una anticipacion de tres meses á dicha presentacion.

I si alguna de las Partes dejare de presentar una copia de esos papeles o su memorial, al Arbitro dentro del año referido, el Arbitro podrá proceder a emitir su decision en vista de lo que se le haya suministrado dentro de ese término.

Las Partes Contratantes convienen ademas en que la excepcion de prescripcion alegada en el curso de la controversia, i que ha sido materia de discusion entre los respectivos Gobiernos no debe considerarse por el Arbitro en su decision, pues convienen en separarla i excluirla de la presente cuestion.

Cada uno de los Gobiernos representados por las Partes Contratantes está autorizado para pedir i obtener la aceptacion del Arbitro, i ambos se comprometen i obligan de la manera mas solemne, á someterse i cumplir con su decision, i á no suscitár en ningun tiempo despues cuestion alguna directa o indirectamente relacionada con el asunto que es materia de este arbitraje.

Esta Convencion será ratificada por los Gobiernos de las respectivas Partes Contratantes i las ratificaciones serán canjeadas dentro de doce meses contados desde esta fecha o ántes, si fuere posible, en esta ciudad de Santiago.

En testimonio de lo cual las Partes Contratantes han firmado i sellado esta Convencion por duplicado, en los idiomas español e ingles, en Santiago, el dia diez de Novem-

Each party to furnish &c. within one year, &c.

list of papers.

Provision if party does not furnish, &c.

Exception of prescription withdrawn.

Acceptance of arbiter to be asked;

and his decision submitted to.

Convention when to be ratified.

Signature, Nov. 10, 1858.

of the month of November, in the year of our Lord one thousand eight hundred and fifty-eight.

JOHN BIGLER, [L. s.]
*Envoy Extraordinary and Minister
 Plenipotentiary of the United
 States of America.*

GERONIMO URMENETA,
Plenipotenciario ad hoc. [L. s.]

bre de mil ochocientos cincuenta i ocho.

GERONIMO URMENETA,
Plenipotenciario ad hoc. [L. s.]

JOHN BIGLER, [L. s.]
*Envoy Extraordinary and Minister
 Plenipotentiary of the United
 States of America.*

Exchange of
 ratifications,
 Oct. 15, 1859.

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Santiago, on the 15th of October last, by John Bigler, Envoy Extraordinary and Minister Plenipotentiary of the United States, and Geronimo Urmeneta, Minister of Foreign Relations of Chile, on the part of their respective governments :

Proclamation,
 Dec. 22, 1859.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, have caused the said convention to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty-second day of December, in the year of our Lord one thousand eight hundred [SEAL.] and fifty-nine, and of the independence of the United States of America the eighty-fourth.

JAMES BUCHANAN.

By the President :

LEW. CASS, *Secretary of State.*

Convention between the United States of America and the Republic of Paraguay, relating to Claims of the "United States and Paraguay Navigation Company." Concluded at Asuncion, February 4, 1859. Ratified by the President of the United States, March 7, 1860. Exchanged at Washington, March 7, 1860. Proclaimed by President of the United States, March 12, 1860.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: February 4, 1859.

A PROCLAMATION.

WHEREAS a convention relating to the claims of the "United States and Paraguay Navigation Company," against the Paraguayan Government, was concluded between the United States of America and the Republic of Paraguay, and was signed by their respective plenipotentiaries at Asuncion on the fourth day of February, one thousand eight hundred and fifty-nine, the original of which convention being in the English and Spanish languages is, word for word, as follows :

Preamble.

Special convention between the United States of America and the Republic of Paraguay, relating to the claims of the "United States and Paraguayan Navigation Company" against the Paraguayan government.

Convencion especial entre la Republica del Paraguay y los Estados Unidos de America relativa á las reclamaciones de la "Compañia de Navegacion de los Estados Unidos y del Paraguay," contra el Gobierno Paraguayo.

Contracting parties.

His Excellency the President of the United States of America and his Excellency the President of the Republic of Paraguay, desiring to remove every cause that might interfere with the good understanding and harmony, for a time so unhappily interrupted, between the two nations, and now so happily restored, and which it is so much for their interest to maintain ; and desiring for this purpose to come to a definite understanding, equally just and honorable to both nations, as to the mode of settling a pending question of the said claims of the "United States and Paraguay Navigation Company"—a company composed of citizens of the United States—against the government of Paraguay, have agreed to refer the same to a special and respectable commission, to be organized and regulated by the convention hereby established between the two high contracting parties ; and for this purpose they have ap-

Su Excelencia el Señor Presidente de la Republica del Paraguay y Su Excelencia el Señor Presidente de los Estados Unidos de America, deseando remover toda causa que pueda comprometer la buena inteligencia y armonia, por un momento tan desgraciadamente interrumpidas entre las dos Naciones, y ahora tan felizmente restablecidas, y que tanto les interesa mantener, y deseando á este fin llegar á un arreglo definitivo igualmente justo y honorable para ambas naciones en cuanto á la manera de concluir la cuestion pendiente de las referidas reclamaciones contra el Gobierno del Paraguay de la "Compania de Navegacion de los Estados Unidos y del Paraguay," compañía compuesta de ciudadanos de los Estados Unidos de America, han convenido someter dicho arreglo á una Comision especial, respetable que será organizada y regida por la presente Convencion entre las dos altas partes contratan-

pointed and conferred full powers, respectively, to wit :

Negotiators.

His Excellency the President of the United States of America upon James B. Bowlin, a special commissioner of the said United States of America, specifically charged and empowered for this purpose ; and his Excellency the President of the Republic of Paraguay upon Señor Nicolas Vasquez, Secretary of State and Minister of Foreign Affairs of the said Republic of Paraguay ; who, after exchanging their full powers, which were found in good and proper form, agreed upon the following articles :

ARTICLE I.

Paraguay to respond to any decree of commissioners in favor of the U. S. and P. Nav. Co.

The government of the Republic of Paraguay binds itself for the responsibility in favor of the "United States and Paraguay Navigation Company," which may result from the decree of commissioners, who, it is agreed, shall be appointed as follows.

ARTICLE II.

Commissioner to be appointed.

The two high contracting parties, appreciating the difficulty of agreeing upon the amount of the reclamations to which the said company may be entitled, and being convinced that a commission is the only equitable and honorable method by which the two countries can arrive at a perfect understanding thereof, hereby covenant to adjust them accordingly by a loyal commission. To determine the amount of said reclamations, it is, therefore, agreed to constitute such a commission, whose decision shall be binding, in the following manner :

Commissioners how appointed.

The government of the United States of America shall appoint one commissioner, and the government of Paraguay shall appoint another ; and these two, in case of disagreement, shall appoint a third, said appointment to devolve upon a person of loyalty and impartiality, with the condition that, in case of difference between the commissioners in the

tes ; y para este fin han nombrado y conferido plenos poderes respectivamente a saber :

Su Excelencia el Presidente de la Republica del Paraguay al ciudadano Paraguayo, Nicolas Vasquez, Secretario de Estado y Ministro de Relaciones Exteriores de la dicha Republica del Paraguay, y Su Excelencia el Presidente de los Estados Unidos de America al Señor James B. Bowlin, Comisionado especial de los dichos Estados Unidos de America—especialmente encargado y apoderado á este fin, quienes despues de cambiar sus plenos poderes que encontraron en buena y debida forma convinieron en los articulos siguientes :

ARTICULO I.

El Gobierno de la Republica del Paraguay se obliga á la responsabilidad que á favor de la "Compañia de Navegacion de los Estados Unidos del Paraguay ;" resulte del fallo de comisionados que se nombrarán en la forma convenida en el siguiente.

ARTICULO II.

Las dos altas partes contratantes, apreciando la dificultad de acordarse sobre el monto de las reclamaciones á que dicha compañía pueda ser acreedora, y estando convencidas de que una Comision es el único medio equitativo y honorable por el cual los dos paises puedan arriivar á una perfecta inteligencia sobre este punto, han convenido por la presente ajustarlas en conformidad por una Comision leal. Para determinar el importe de dichas reclamaciones es pues convenido constituir tal comision, cuya decision sea obligatoria en la forma siguiente :

El Gobierno del Paraguay nombrará un Comisionado, y el Gobierno de los Estados Unidos de America nombrará otro, y estos dos, en caso de discordia, nombraran un tercero, debiendo recaer este nombramiento en persona leal é imparcial, con calidad de que en caso de desacuerdo de los comisionados en la eleccion de un tercero en discordia los Rep-

choice of an umpire, the diplomatic representatives of Russia and Prussia, accredited to the Government of the United States of America, at the city of Washington, may select such umpire.

The two commissioners named in the said manner shall meet in the city of Washington, to investigate, adjust, and determine the amount of the claims of the above-mentioned company, upon sufficient proofs of the charges and defences of the contending parties.

ARTICLE III.

The said commissioners, before entering upon their duties, shall take an oath before some judge of the United States of America that they will fairly and impartially investigate the said claims, and a just decision thereupon render, to the best of their judgment and ability.

ARTICLE IV.

The said commissioners shall assemble, within one year after the ratification of the "treaty of friendship, commerce, and navigation" this day celebrated at the city of Assumption between the two high contracting parties, at the city of Washington in the United States of America, and shall continue in session for a period not exceeding three months, within which, if they come to an agreement, their decision shall be proclaimed; and in case of disagreement, they shall proceed to the appointment of an umpire as already agreed.

ARTICLE V.

The government of Paraguay hereby binds itself to pay to the government of the United States of America, in the city of Assumption, Paraguay, thirty days after presentation to the government of the republic, the draft which that of the United States of America shall issue for the amount for which the two commissioners concurring, or by the umpire, shall declare it responsible to the said company.

representantes Diplomaticos de Russia y Prusia acreditados cerca del Gobierno de los Estados Unidos de America en la Ciudad de Washington podran elegir á tal tercero en discordia. provision for an umpire.

Los dos comisionados nombrados en la forma referida se reuniran en la Ciudad de Washington para investigar, ajustar y determinar el monto de las reclamaciones de la mencionada Compañia sobre pruebas bastantes de los cargos y descargos de las partes contenderas. where to meet.

ARTICULO III.

Los dichos Comisionados, antes de entrar en sus funciones, prestarán juramento ante algun Juez de los Estados Unidos de America de que investigarán leal é imparcialmente las expresadas reclamaciones, y darán sobre ellas una decision justa con su mejor juicio y habilidad. to take oath before acting.

ARTICULO IV.

Los dichos Comisionados se reuniran en la Ciudad de Washington dentro de un año despues de la ratification del "Tratado de Amistad, Comercio, y Navegacion," celebrado en esta fecha en la Ciudad de la Asuncion entre las dos altas partas contratantes, y continuaran en session, por un periodo que no exceda de tres meses, dentro del cual si fallaren de acuerdo, su decision será proclamada, y en caso de discordia se procederá al nombramiento de un tercero, como queda convenido. when to meet and how long to continue in session.

ARTICULO V.

El Gobierno del Paraguay por la presente se obliga á abonar al Gobierno de los Estados Unidos de America en la Asuncion del Paraguay, dentro de treinta dias de presentarse al Gobierno de la Republica la letra que el de los Estados Unidos de America llegue á girar sobre la suma que los Comisionados de acuerdo, ó por un tercero en discordia, le declarasen responsable á dicha Compañia. Paraguay to pay any award of commissioners in favor of said company.

ARTICLE VI.

Each party to pay its own commissioner; both to pay the umpire.

Each of the high contracting parties shall compensate the commissioner it may appoint the sum of money he may stipulate for his services, either by instalments or at the expiration of his task. In case of the appointment of an umpire, the amount of his remuneration shall be equally borne by both contracting parties.

ARTICLE VII.

Convention when to be ratified.

The present Convention shall be ratified within fifteen months, or earlier if possible, by the government of the United States of America and by the President of the Republic of Paraguay within twelve days from this date. The exchange of ratifications shall take place in the city of Washington.

Signatures, Feb. 4, 1859.

In faith of which, and in virtue of our full powers, we have signed the present Convention in English and Spanish, and have thereunto set our respective seals.

Done at Assumption, this fourth day of February, in the year of our Lord one thousand eight hundred and fifty-nine, being the eighty-third year of the independence of the United States of America, and the forty-seventh of that of Paraguay.

JAMES B. BOWLIN, [SEAL.]
NICOLAS VASQUEZ. [SEAL.]

ARTICULO VI.

Cada una de las altas partes contratantes, compensará al Comisionado que llegue á nombrar con la suma de dinero que pediere por sus servicios sea á plazos convenidos ó en conclusion de sus tareas. En caso de nombrarse un tercero en discordia le pagarán por mitad sus honorarios ambas partes contratantes.

ARTICULO VII.

La presente Convencion será ratificada dentro de doce dias por Su Excelencia el Señor Presidente de la Republica del Paraguay, y por el Gobierno de los Estados Unidos de America dentro de quince meses de esta fecha, ó antes si fuere posible. El cambio de las ratificaciones, tendrá lugar en la ciudad de Washington.

En fé de lo cual, y en virtud de nuestros plenos poderes, hemos firmado la presente Convencion en Español y en Ingles, y la hemos sellado con nuestros respectivos sellos.

Fecho en la Asuncion el dia cuatro de Febrero en el año de Nuestro Señor de mil *ochientos* [ochocientos] cincuenta y nueve, el cuadragésimo sétimo de la Independencia Nacional del Paraguay y el octagesimo tercio de la de los Estados Unidos de America.

[SEAL.] NICOLAS VASQUEZ,
[SEAL.] JAMES B. BOWLIN.

Exchange of ratifications, March 7, 1860.

And whereas the said Convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington, on the seventh instant, by Lewis Cass, Secretary of State of the United States, and Señor Don José Berges, Special Commissioner of the Republic of Paraguay, on the part of their respective governments:

Proclamation, March 12, 1860.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, have caused the said Convention to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this twelfth day of March, in the year of our Lord one thousand eight hundred and [SEAL.] sixty, and of the independence of the United States of America the eighty-fourth.

JAMES BUCHANAN.

By the President:

LEW. CASS, *Secretary of State.*

Treaty of Friendship, Commerce, and Navigation, between the United States of America and the Republic of Paraguay. Concluded at Asuncion, February 4, 1859. Ratified by the President of the United States, March 7, 1860. Exchanged at Washington, March 7, 1860. Proclaimed by the President of the United States, March 12, 1860.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

February 4, 1859.

Preamble.

WHEREAS a Treaty of Friendship, Commerce, and Navigation, between the United States of America and the Republic of Paraguay, was concluded and signed by their respective plenipotentiaries at Asuncion on the fourth day of February, one thousand eight hundred and fifty-nine, the original of which Treaty being in the English and Spanish languages, is, word for word, as follows:

A treaty of friendship, commerce, and navigation between the governments of the United States of America and of the Republic of Paraguay, concluded and signed in the city of Assumption, the capital of the Republic of Paraguay, on the fourth day of February, in the year of our Lord one thousand eight hundred and fifty-nine; the eighty-third year of the Independence of the United States of America, and the forty-seventh of that of the Republic of Paraguay.

In the name of the Most Holy Trinity! The governments of the two Republics, the United States of America and of Paraguay, in South America, being mutually disposed to cherish more intimate relations and intercourse than those which have heretofore subsisted between them, and believing it to be of mutual advantage to adjust the conditions of such relations by signing a "treaty of friendship, commerce, and navigation," for that object have nominated their respective plenipotentiaries, that is to say: His Excellency the President of the United States of America has nominated James B. Bowlin a special Commissioner of the United States of America at Assumption, and his Excellency the President of the Republic of Paraguay has nominated the Paraguayan citizen, Nicolas Vasquez, Secretary

Tratado de Amistad, Comercio y Navegacion entre los Gobiernos de la Republica del Paraguay y de los Estados Unidos de America, concluido y firmado en la ciudad de la Asuncion, Capital de la Republica del Paraguay el dia cuatro de Febrero en el año de Nuestro Señor de mil ochocientos cincuenta y nueve el cuadragésimo sétimo de la Independencia Nacional del Paraguay y el octogésimo tercero de la de los Estados Unidos de America.

En el nombre de la Santísima Trinidad. Los Gobiernos de las dos Republicas del Paraguay en la America del Sur, y de los Estados Unidos de America, siendo mutuamente dispuestos á fomentar mas intimas relaciones y comunicaciones que las que han existido hasta ahora, entre las mismas, y creyendolo de utilidad mutua de ajustar las condiciones de tales relaciones firmando un "Tratado de Amistad, Comercio y Navegacion," para este objeto han nombrado á sus respectivos Plenipotenciarios, á saber:

Su Excelencia el Presidente de la Republica del Paraguay ha nombrado al Ciudadano Paraguayo Nicolas Vasquez, Ministro Secretario de Estado y de Relaciones Exteriores de la Republica del Paraguay;

Y Su Excelencia el Presidente de los Estados Unidos de America ha nombrado al Señor James B.

Contracting parties.

Negotiators.

of State and Minister of Foreign Relations of the Republic of Paraguay; who, after having communicated competent authorities, have agreed upon and concluded the following articles:

ARTICLE I.

Amity, &c.

There shall be perfect peace and sincere friendship between the government of the United States of America and the government of the Republic of Paraguay, and between the citizens of both States, and without exception of persons or places. The high contracting parties shall use their best endeavors that this friendship and good understanding may be constantly and perpetually maintained.

ARTICLE II.

Free Navigation of the Paraguay conceded, &c.

The Republic of Paraguay, in the exercise of the sovereign right which pertains to her, concedes to the merchant flag of the citizens of the United States of America the free navigation of the river Paraguay as far as the dominions of the empire of Brazil, and of the right side of the Paraná throughout all its course belonging to the Republic, subject to police and fiscal regulations of the supreme government of the Republic, in conformity with its concessions to the commerce of friendly nations. They shall be at liberty, with their ships and cargoes, freely and securely to come to and to leave all the places and ports which are already mentioned; to remain and reside in any part of the said territories; hire houses and warehouses, and trade in all kinds of produce, manufactures, and merchandise of lawful commerce, subject to the usages and established customs of the country. They may discharge the whole or a part of their cargoes at the ports of Pilar, and where commerce with other nations may be permitted, or proceed with the whole or part of their cargo to the port of Assumption, according as the captain, owner, or other duly authorized person shall deem expedient.

Privileges to citizens of the United States, in Paraguay.

Bowlin, Comisionado Especial del Exmo. Gobierno de los Estados Unidos de America en la Asuncion;

Quienes, despues de haberse comunicado competentes autorizaciones han convenido y concluido los articulos siguientes:

ARTICULO I.

Habr  perfecta paz y sincera amistad entre el Gobierno de la Republica del Paraguay y el Gobierno de los Estados Unidos de America, y entre los ciudadanos de uno y otro Estado, sin excepcion de personas ni de lugares. Las altas partes contratantes aplicar n toda su atencion para que esta amistad y buena inteligencia sean mantenidas constante y perpetuamente.

ARTICULO II.

La Republica del Paraguay, en el ejercicio del derecho soberano que le pertenece, concede al Pabellon mercantil de los ciudadanos de los Estados Unidos de America la libre navegacion del Rio Paraguay, hasta los dominios del Imperio del Brazil; y la derecha del Paran  en todo el curso que pertenece   la Republica, con sujecion   los reglamentos policiales y fiscales del Gobierno Supremo de la Republica, conforme tiene concedido al comercio de las naciones amigas. Pueden llegar y salir, libre y seguramente, con sus buques y cargamentos   todos los lugares y puertos que van espresados; permanecer y habitar en cualquier parte de dichos territorios; alquilar casas y almacenes y traficar en toda clase de productos, manufacturas y mercancias de legitimo comercio, sujetandose   los usos y costumbres establecidos en el pais. Pueden descargar todo   parte de sus cargamentos en los puertos del Pilar y adonde se permita el comercio con otras naciones,   seguir con el todo   parte de la carga hasta el puerto de la Asuncion, segun el capit n, due o   otra persona debidamente autorizado, juzgare conveniente.

In the same manner shall be treated and considered such Paraguayan citizens as may arrive at the ports of the United States of America with cargoes in Paraguayan vessels, or vessels of the United States of America.

ARTICLE III.

The two high contracting parties hereby agree that any favor, privilege, or immunity whatever, in matters of commerce or navigation, which either contracting party has actually granted, or may hereafter grant, to the citizens or subjects of any other State, shall extend, in identity of cases and circumstances, to the citizens of the other contracting party gratuitously, if the concession in favor of that other State shall have been gratuitous, or in return for an equivalent compensation, if the concession shall have been conditional.

ARTICLE IV.

No other or higher duties shall be imposed on the importation or exportation of any article of the growth, produce or manufacture of the two contracting States than are or shall be payable on the like article being the growth, produce, or manufacture of any other foreign country. No prohibition shall be imposed upon the importation or exportation of any article of the growth, produce, or manufacture of the territories of either of the two contracting parties into the territories of the other, which shall not equally extend to the importation or exportation of similar articles to the territories of any other nation.

ARTICLE V.

No other or higher duties or charges on account of tonnage, light, or harbor dues, pilotage, salvage in case of damage or shipwreck, or any other local charges, shall be imposed in any of the ports of the territories of the Republic of Para-

De la misma manera serán tratados y considerados los ciudadanos Paraguayos que llegaren á arribar á los puertos de los Estados Unidos de America con cargamentos, en buques Paraguayos ó buques de los Estados Unidos de America.

to citizens of Paraguay in the United States.

ARTICULO III.

Las dos altas partes contratantes convienen que cualquier favor, privilegio ó inmunidad en lo relativo al comercio, ó á la navegacion, que cualquiera de las dos partes contratantes actualmente ha concedido ó concediere en lo futuro á los ciudadanos o subditos de cualquier otro Estado se estenderá en identidad de casos y circunstancias, á los ciudadanos de la otra parte contratante gratuitamente, si la concesion en favor de aquel otro Estado hubiere sido gratuita, ó en cambio de una compensacion equivalente, si la concesion hubiere sido condicional.

Privileges of most favored nation.

ARTICULO IV.

No se impondrán otros ó mas altos derechos á la importacion ni á la esportacion de cualquier articulo del producto natural, producciones ó manufacturas de los dos Estados contratantes, que los que se pagan ó pagaren por semejante articulo, siendo producto natural, producciones ó manufacturas de cualquier otro pais extranjero. No se impondrá prohibicion alguna á la importacion, ni á la esportacion de cualquier articulo del producto natural, producciones ó manufacturas de los territorios de cualquiera de las dos partes contratantes en los territorios de la otra, que no se estenderá igualmente á la importacion y á la esportacion de semejantes articulos para los territorios de cualquiera otra nacion.

No other or higher duties, &c.

or prohibition, &c.

ARTICULO V.

No se impondrán en ninguno de los puertos de los territorios de los Estados Unidos de America á buques Paraguayos por razon de derechos de tonelaje, fanal ó puertos, de pilotaje, de derecho de salvamento en casos de averia, ó naufragio

Same subject.

guay on vessels of the United States of America than those payable in the same ports by Paraguayan vessels, nor in the ports of the territories of the United States of America on Paraguayan vessels than shall be payable in the same ports by vessels of the United States of America.

ARTICLE VI.

Same duties on same article if imported in vessels of United States or Paraguay. The same duties shall be paid upon the importation and exportation of any article which is or may be legally importable or exportable into the dominions of the United States of America and into those of Paraguay, whether such importation or exportation be made in vessels of the United States of America or in Paraguayan vessels.

ARTICLE VII.

What to be deemed vessels of U. S. and what Paraguayan. All vessels which, according to the laws of the United States of America, are to be deemed vessels of the United States of America, and all vessels which, according to the laws of Paraguay, are to be deemed Paraguayan vessels, shall, for the purposes of this treaty, be deemed vessels of the United States of America and Paraguayan vessels, respectively.

ARTICLE VIII.

Import and export duties the same for citizens of U. S. and of Paraguay. Citizens of the United States of America shall pay, in territories of the Republic of Paraguay, the same import and export duties which are established or may be established hereafter for Paraguayan citizens. In the same manner the latter shall pay, in the United States of America, the duties which are established or may hereafter be established for citizens of the United States of America.

ARTICLE IX.

Privileges of merchants, citizens, &c., of each country in the territory of the other. All merchants, commanders of ships, and others, the citizens of each country, respectively, shall have full liberty, in all the territo-

ó cualesquiera otras cargas locales, otras ni mas altos derechos ó impuestos, que los que se pagan en los mismos puertos por buques de los Estados Unidos de America; ni en los puertos de los territorios de la Republica del Paraguay á buques de los Estados Unidos de America que los que se pagaren en los mismos puertos por buques Paraguayos.

ARTICULO VI.

Se pagarán los mismos derechos de importacion y esportacion por cualquier articulo que se puede, ó se pudiere importar ó esportar legalmente en los dominios del Paraguay y en los de los Estados Unidos de America, bien sea tal importacion ó esportacion en buques Paraguayos ó en buques de los Estados Unidos de America.

ARTICULO VII.

Todos los buques, que segun las leyes del Paraguay, se han de considerar como buques Paraguayos, y todos los buques que segun las leyes de los Estados Unidos de America se han de considerar como buques de los Estados Unidos de America se considerarán para los fines de este Tratado, como buques Paraguayos y buques de los Estados Unidos de America, respectivamente.

ARTICULO VIII.

Los ciudadanos Paraguayos pagarán en los territorios de los Estados Unidos de America los mismos derechos de importacion y esportacion establecidos ó á establecer para los ciudadanos de los Estados Unidos de America. Asi mismo estos pagarán en la Republica del Paraguay los derechos establecidos ó á establecer para los ciudadanos Paraguayos.

ARTICULO IX.

Todos los negociantes, comandantes de buques, y otros ciudadanos de cada pais respectivamente, tendrán completa libertad en todos

ries of the other, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as agent, broker, factor, or interpreter; and they shall not be obliged to employ any other persons than those employed by natives, nor to pay to such persons as they shall think fit to employ any higher salary or remuneration than such as is paid in like cases by natives.

The citizens of the United States of America in the territories of Paraguay, and the citizens of Paraguay in the United States of America, shall enjoy the same full liberty which is now or may hereafter be enjoyed by natives of each country, respectively, to buy from and sell to whom they like all articles of lawful commerce, and to fix the prices thereof as they shall see good, without being affected by any monopoly, contract or exclusive privilege of sale or purchase, subject, however, to the general ordinary contributions or imposts established by law.

The citizens of either of the two contracting parties in the territories of the other shall enjoy full and perfect protection for their persons and property, and shall have free and open access to the courts of justice for the prosecution and defence of their just rights; they shall enjoy, in this respect, the same rights and privileges as native citizens; and they shall be at liberty to employ, in all cases, the advocates, attorneys, or agents, of whatever description, whom they may think proper.

ARTICLE X.

In whatever relates to the police of the ports, the lading or unlading of ships, the warehousing and safety of merchandise, goods, and effects, the succession to personal estates by will or otherwise, and the disposal of personal property of every sort and denomination by sale, donation, exchange, or testament, or in any other manner whatsoever, as also

los territorios del otro, para manejar sus propios negocios por si mismos, ó para encargar su manejo á quien mejor les parezca, como agente, corredor, factor ó interprete; y no se les obligará á emplear ningunas otras personas que los empleados por los nativos, ni á pagar á las personas que tendrán á bien emplear mas sueldo ó remuneracion, que lo que se paga en semejantes casos por los nativos.

Los ciudadanos del Paraguay en los territorios de los Estados Unidos de America, y los ciudadanos de los Estados Unidos de America en el Paraguay, gozarán de la misma completa libertad de que se goce ahora ó se gozare en lo futuro por los nativos de cada pais respectivamente, para comprar de cualesquiera, como mejor les parezca, y venderles, todos los articulos de legitimo comercio, y para fijar sus precios, segun lo juzgaren conveniente, sin que les perjudique ningun monopolio, contracto ó privilegio exclusivo de venta ó compra, sujetos, sin embargo, á las contribuciones ó impuestos generales y ordinarios, establecidos por la ley.

Los ciudadanos de cualquiera de las dos partes contratantes en los territorios de la otra, gozarán de completa y perfecta proteccion en sus personas y propiedades, y tendrán libre y fácil acceso á los Tribunales de Justicia para la prosecucion y defensa de sus justos derechos; gozarán en este respecto de los mismos derechos y privilegios que los ciudadanos nativos, y tendrán la libertad de emplear, en todas sus causas, los abogados, procuradores ó agentes de cualquier clase que tengan á bien.

ARTICULO X.

En todo lo relativo á la policia de los puertos, á la carga ó descarga de los buques, al almacenaje y seguridad de las mercancias, generos y efectos, á la sucesion de los bienes, muebles por testamento ó de otro modo, y al disponer de bienes muebles de toda clase y denominacion, por venta, donacion, permuta ó testamento, ó de cualquier otro modo,

Same subject.

Same subject

with regard to the administration of justice, the citizens of each contracting party shall enjoy, in the territories of the other, the same privileges, liberties, and rights as native citizens, and shall not be charged, in any of these respects, with any other or higher imposts or duties than those which are or may be paid by native citizens, subject always to the local laws and regulations of such territories.

Provisions in case of the death of a citizen of one country in the territory of the other.

In the event of any citizen of either of the two contracting parties dying without will or testament in the territory of the other contracting party, the consul-general, consul, or vice-consul, of the nation to which the deceased may belong, or, in his absence, the representative of such consul-general, consul, or vice-consul shall, so far as the laws of each country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, until an executor or administrator be named by the said consul-general, consul, or vice-consul, or his representative.

ARTICLE XI.

Citizens of each country in the territory of the other, to be exempt from compulsory military service, &c.

The citizen[s] of the United States of America residing in the territories of the Republic of Paraguay, and the citizens of the Republic of Paraguay residing in the United States of America, shall be exempted from all compulsory military service whatsoever, whether by sea or land, and from all forced loans or military exactions or requisitions; and they shall not be compelled to pay any charges, requisition, or taxes other or higher than those that are or may be paid by native citizens.

ARTICLE XII.

Consuls may be appointed.

It shall be free for each of the two contracting parties to appoint consuls for the protection of trade, to reside in the territories of the other party; but before *my* [any] consul

asi como tambien respecto á la administracion de la justicia, los ciudadanos de cada parte contratante gozarán en los territorios de la otra, de los mismos privilegios, franquicias y derechos que los ciudadanos nativos; y no se les cargarán respecto á cualquier de estos asuntos, otros ni mas altos impuestos ó derechos que los que se pagan ó se pagaren por ciudadanos nativos; sujetos siempre á las leyes y los reglamentos locales de dichos territorios.

En caso que muriere intestado algun ciudadano de cualquiera de las dos partes contratantes en los territorios de la otra parte contratante, el Consul General, Consul ó Vice Consul de la nacion á que pertenecia el difunto, ó en su ausencia, el Representante de dicho Consul General, Consul ó Vice Consul, se encargará, en cuanto le permitieren las leyes de cada pais, de la propiedad, que el difunto haya dejado, á beneficio de sus legitimos herederos y acreedores, hasta que se nombre un albacea ó administrador, por dicho Consul General, Consul ó Vice Consul, ó su Representante.

ARTICULO XI.

Los ciudadanos de la Republica del Paraguay residentes en los territorios de los Estados Unidos de America y los ciudadanos de los Estados Unidos de America residentes en la Republica del Paraguay, estarán esentos de todo servicio militar, forzoso de cualquier clase, de mar ó de tierra, y de todo prestamo forzoso ó exacciones ó requisiciones militares, y no se les forzará á pagar cualesquiera cargas, requisiciones ó impuestos, otros, ó mas altos que los que se pagan, ó se pagaren por ciudadanos nativos.

ARTICULO XII.

Cada una de las dos partes contratantes tendrá la libertad de nombrar consules para la proteccion del comercio, los cuales residirán en los territorios de la otra parte; pero

shall act as such, he shall, in the usual form, be approved and admitted by the government to which he is sent; and either of the two contracting parties may except from the residence of consuls such particular places as either of them may judge fit to be excepted.

The diplomatic agents and consuls of the United States of America in the territories of the Republic of Paraguay shall enjoy whatever privileges, exemptions, and immunities are or may be there granted to the diplomatic agents and consuls of any other nation whatever; and, in like manner, the diplomatic agents and consuls of the Republic of Paraguay in the United States of America shall enjoy whatever privileges, exemptions, and immunities are or may be there granted to agents of any other nation whatever.

ARTICLE XIII.

For the better security of commerce between the citizens of the United States of America and the citizens of the Republic of Paraguay, it is agreed that if at any time any interruption of friendly intercourse or any rupture should unfortunately take place between the two contracting parties, the citizens of either of the said contracting parties, who may be established in the territories of the other in the exercise of any trade or special employment, shall have the privilege of remaining and continuing such trade or employment therein without any manner of interruption, in full enjoyment of their liberty and property, as long as they behave peaceably and commit no offence against the laws; and their goods and effects, of whatever description they may be, whether in their own custody or intrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like effects or property belonging to native citizens. If, however, they prefer to leave the country, they

antes de funcionar un Consul como tal, será aprobado y admitido en la forma acostumbrada por el Gobierno á que está enviado, y cualquiera de las dos partes contratantes puede exceptuar de la residencia de Consules, aquellos lugares especiales que cualquiera de ellos juzgue conveniente que se exceptuen.

Los Agentes Diplomáticos y los Consules de la Republica del Paraguay en los territorios de los Estados Unidos de America gozarán de cualesquiera privilegios, esenciones e inmunities que se conceden ló se concedieren allí á los Agentes Diplomáticos y Consules de cualquiera otra nacion; y del mismo modo, los Agentes Diplomáticos y Consules de los Estados Unidos de America en la Republica del Paraguay, gozarán de cualesquiera privilegios, esenciones e inmunities que se conceden ó se concedieren allí á agentes de cualquiera otra nacion.

Their privileges, &c.

ARTICULO XIII.

Para mayor seguridad del comercio entre los ciudadanos de la Republica del Paraguay y los ciudadanos de los Estados Unidos de America, se conviene que si infelizmente en cualquier tiempo tuviere lugar alguna interrupcion de las relaciones de amistad, ó algun rompimiento entre las dos partes contratantes, los ciudadanos de cualquiera de las mismas partes contratantes que esten establecidos en los territorios de la otra en el ejercicio de algun trafico ú ocupacion especial, tendrán el privilegio de quedarse y seguir dicho trafico ú ocupacion en ellos, sin ninguna clase de interrupcion en el goce absoluto de su libertad y propiedad, mientras se porten pacificamente y no cometan infraccion alguna de las leyes; y sus bienes y efectos de cualquier clase que sean, bien que esten bajo su propria custodia, ó confiados á particulares ó al Estado, no estarán sujetos, á embargo ó secuestro, ni á ningunas otras cargas ó exacciones, que las que puedan hacer á semejantes efectos ó propiedad, pertenecientes á los ciudadanos nativos. Pero si prefieren salir del pais, se les concederá el termino que

Provisions in case of war.

shall be allowed the time they may require to liquidate their accounts and dispose of their property, and a safe conduct shall be given them to embark at the ports which they shall themselves select. Consequently, in the case referred to of a rupture, the public funds of the contracting States shall never be confiscated, sequestered, or detained.

ARTICLE XIV.

Citizens of either country in the territory of the other to be protected, &c.

The citizens of either of the two contracting parties residing in the territories of the other shall enjoy, in regard to their houses, persons, and properties, the protection of the government in as full and ample a manner as native citizens.

To enjoy religious liberty.

In like manner the citizens of each contracting party shall enjoy, in the territories of the other, full liberty of conscience, and shall not be molested on account of their religious belief; and such of those citizens as may die in the territories of the other party shall be buried in the public cemeteries, or in places appointed for the purpose, with suitable decorum and respect.

Rights of burial

The citizens of the United States of America residing within the territories of the Republic of Paraguay shall be at liberty to exercise, in private and in their own dwellings, or within the dwellings or offices of consuls or vice-consuls of the United States of America, their religious rites, services, and worship, and to assemble therein for that purpose without hindrance or molestation.

of worship.

This treaty, how long to be in force.

The present treaty shall be in force during ten years, counted from the day of the exchange of the ratifications; and, further, until the end of twelve months after the government of the United States of America on the one part, or the government of Paraguay on the other, shall have given notice of its intention to terminate the same.

Notice on the part of Paraguay, where may be given.

The Paraguayan government shall be at liberty to address to the government of the United States

pidieren para liquidar sus cuentas y disponer de sus propiedades y se les dará un salvo conducto para que se embarquen en los puertos que ellos mismos eligieren. Consecuentemente, en el caso indicado de una desinteligencia, los fondos publicos de los Estados contratantes nunca serán confiscados, secuestrados, ó detenidos.

ARTICULO XIV.

Los ciudadanos de cualquiera de las dos partes contratantes residentes en los territorios de la otra, gozarán respecto á sus casas, personas y propiedades, de la proteccion del Gobierno, de un modo tan completo y amplio como si fueren ciudadanos nativos.

De igual modo, los ciudadanos de cada parte contratante, gozarán en los territorios de la otra de una completa libertad de conciencia, y no serán molestados por motivo de su creencia religiosa; y los de esos ciudadanos que murieren en los territorios de la otra parte, serán enterrados en los cementerios publicos, ó en los lugares señalados para ese objeto, con debido decoro y respeto.

Los ciudadanos de los Estados Unidos de America residentes en los territorios de la Republica del Paraguay, tendrán la libertad de ejercer privadamente y en sus propias casas, ó en las casas ú oficinas de los Consules ó Vice Consules de los Estados Unidos de America los ritos, oficios y culto de su religion, y de reunirse en ellas con este objeto sin ser impedidos ó molestados.

ARTICULO XV.

El presente Tratado será valedero durante diez años, á contar desde el dia del canje de las ratificaciones, y ademas hasta el fin de doce meses despues que el Gobierno Paraguayo de una parte, ó el Gobierno de los Estados Unidos de America de la otra, diere noticia de su intencion de hacer cesar este Tratado.

El Gobierno Paraguayo podrá dirigir al Gobierno de los Estados Unidos de America, ó á su repre-

of America, or to its representative in the Republic of Paraguay, the official declaration agreed upon in this article.

sentante en la Republica del Paraguay, la declaracion oficial acordada en este articulo.

ARTICLE XVI.

The present treaty shall be ratified by his Excellency the President of the United States of America within the term of fifteen months, or earlier if possible, and by his Excellency the President of the Republic of Paraguay within twelve days from this date, and the ratifications shall be exchanged in Washington.

In witness whereof, the respective plenipotentiaries have signed it and affixed thereto their seals.

Done at Assumption, this fourth day of February, in the year of our Lord one thousand eight hundred and fifty-nine.

JAMES B. BOWLIN, [SEAL.]
NICOLAS VASQUEZ. [SEAL.]

ARTICULO XVI.

El presente Tratado será ratificado por Su Excelencia el Presidente de la Republica del Paraguay dentro de doce dias, y por Su Excelencia el Presidente de los Estados Unidos de America dentro del termino de quince meses de esta fecha, ó antes si fuere posible, y las ratificaciones serán cangeadas en Washington.

En testimonio de lo cual, los Plenipotenciarios respectivos lo han firmado y sellado con sus sellos.

Hecho en la Asuncion el dia cuatro de Febrero en el año de Nuestro Señor de mil ochocientos cincuenta y nueve.

[LS.] NICOLAS VASQUEZ,
[LS.] JAMES B. BOWLIN.

When to be ratified.

Signatures,
Feb. 4, 1859.

And whereas the said treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington, on the seventh instant, by Lewis Cass, Secretary of State of the United States, and Señor Don José Berges, Special Commissioner of the Republic of Paraguay, on the part of their respective governments:

Exchange of ratifications,
March 7, 1860.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, have caused the said treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclamation,
March 12, 1860.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this twelfth day of March, in the year of our Lord one thousand eight hundred and sixty, and of the independence of the United States of America the eighty-fourth.

[SEAL.]

JAMES BUCHANAN.

By the President:

LEW. CASS, *Secretary of State.*

TREATIES.

Treaty between the United States and the Winnebago Tribe of Indians. Concluded, April 15, 1859. Ratified by the Senate, March 16, 1861. Proclaimed by the President of the United States, March 23, 1861.

PROCLAMATION.

ABRAHAM LINCOLN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

April 15, 1859.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

WHEREAS a treaty was made and concluded at the city of Washington, the fifteenth day of April, eighteen hundred and fifty-nine, by and between Charles E. Mix, commissioner on the part of the United States, and the hereinafter named chiefs and delegates of the Winnebago tribe of Indians, they being duly authorized thereto by said tribe, which treaty is in the words and figures following, to wit :

Preamble.

Articles of agreement and convention made and concluded at Washington City, on the fifteenth day of April, eighteen hundred and fifty-nine, by and between Charles E. Mix, commissioner on the part of the United States, and the following-named chiefs and delegates, representing the Winnebago tribe of Indians, viz. : Baptiste Lassalleur, Little Hill, Little De-Corie, Prophet, Wakon, Cono-hutta-kau, Big Bear, Rogue, Young Frenchman, One Horn, Yellow Banks, and O-o-kau, they being thereto duly authorized by said tribe.

Contracting parties.

ARTICLE I. The Winnebago Indians having now more lands than are necessary for their occupancy and use, and being desirous of promoting settled habits of industry and enterprise amongst themselves by abolishing the tenure in common by which they now hold their lands, and by assigning limited quantities thereof, in severalty, to the members of the tribe, including their half or mixed blood relatives now residing with them, to be cultivated and improved for their own individual use and benefit, it is hereby agreed and stipulated that the eastern portion of their present reservation, embracing townships one hundred and six, (106,) and one hundred and seven, (107,) range twenty-four (24,) and one hundred and six, (106,) and one hundred and seven (107,) range twenty-five, (25,) and the two strips of land immediately adjoining them on the east and north, shall be set apart and retained by them for said purposes ; and that out of the same there shall be assigned to each head of a family not exceeding eighty acres, and to each male person eighteen years of age and upwards, without family, not exceeding forty acres of land, to include, in every case, as far as practicable, a reasonable proportion of timber ; one hundred and sixty acres of said retained lands in a suitable locality shall also be set apart and appropriated to the occupancy and use of the agency for said Indians. The lands to be so assigned, including those for the use of the agency, shall be in as regu-

Eastern portion of reservation to be set apart and assigned in severalty to members of tribe.

Assignments of land.

Whole to be known as the Winnebago reservation.

Whites not to reside thereon.

Division, &c., to be under direction of Secretary of Interior.

Certificates to issue.

Not to be assigned unless, &c.

Certain lands may be sold.

Mode of Sale.

lar and compact a body as possible, and so as to admit of a distinct and well-defined exterior boundary, embracing the whole of them and any intermediate portions or parcels of land or water not included in or made part of the tracts assigned in severalty. Any such intermediate parcels of land and water shall be owned by the Winnebagoes in common; but in case of increase in the tribe, or other cause, rendering it necessary or expedient, the said intermediate parcels of land shall be subject to distribution and assignment, in severalty, in such manner as the Secretary of the Interior shall prescribe and direct. The whole of the lands assigned or unassigned in severalty, embraced within the said exterior boundary, shall constitute and be known as the Winnebago reservation, within and over which all laws passed or which may be passed by Congress regulating trade and intercourse with the Indian tribes shall have full force and effect. And no white person, except such as shall be in the employment of the United States, shall be allowed to reside or go upon any portion of said reservation, without the written permission of the Superintendent of Indian Affairs, or of the agent for the tribe. Said division and assignment of lands to the Winnebagoes in severalty shall be made under the direction of the Secretary of the Interior, and when approved by him shall be final and conclusive. Certificates shall be issued by the Commissioner of Indian Affairs for the tracts so assigned, specifying the names of the individuals to whom they have been assigned, respectively, and that they are for the exclusive use and benefit of themselves, their heirs, and descendants. And said tracts shall not be alienated in fee, leased, or otherwise disposed of, except to the United States, or to other members of the tribe, under such rules and regulations as may be prescribed by the Secretary of the Interior; and they shall be exempt from taxation, levy, sale, or forfeiture, until otherwise provided for by Congress. Prior to the issue of said certificates, the Secretary of the Interior shall make such rules and regulations as he may deem necessary and expedient respecting the disposition of any of said tracts, in case of the death of the person or persons to whom they may be assigned, so that the same shall be secured to the families of such deceased persons; and should any of the Indians to whom tracts shall be assigned abandon them, the said Secretary may take such action in relation to the proper disposition thereof as in his judgment may be necessary and proper.

ARTICLE II. For the purpose of procuring the means of comfortably establishing the Winnebagoes upon the lands to be assigned to them in severalty, by building them houses, and by furnishing them with agricultural implements, stock animals, and other necessary aid and facilities for commencing agricultural pursuits under favorable circumstances, the lands embraced in that portion of their reservation not stipulated to be retained and divided, as aforesaid, shall be sold, under the direction of the Secretary of the Interior, in parcels not exceeding one hundred and sixty acres each, to the highest bidder, for cash; the sales to be made upon sealed proposals to be duly invited by public advertisement. And should any of the tracts so to be sold have upon them improvements of any kind which were made by or for the Indians, or for government purposes, the proposals therefor must state the price for both the land and improvements. And if, after assigning to all the members of the tribe entitled thereto their proportions of land in severalty, there shall remain a surplus of that portion of the reservation retained for that purpose, outside of the exterior boundary line of the lands assigned in severalty, the Secretary of the Interior shall be authorized and empowered, whenever he shall think proper, to cause such surplus to be sold in the same manner as the other lands to be so disposed of, and the proceeds thereof to be paid over to the Winnebagoes, or used and applied for their benefit in such manner as he shall deem to be best for them.

ARTICLE III. The Winnebagoes being anxious to relieve themselves from the burden of their present liabilities, and it being essential to their welfare and best interests that they shall be enabled to commence their new mode of life and pursuits free from the annoyance and embarrassment thereof, or which may be occasioned thereby, it is agreed that the same shall be liquidated and paid out of the fund arising from the sale of their surplus lands, so far as found valid and just on an examination thereof, to be made by their agent and the superintendent of Indian affairs for the Northern superintendency, subject to revision and confirmation by the Secretary of the Interior.

Debts of Winnebagoes to be paid out of proceeds of sale.

ARTICLE IV. Should the proceeds of the surplus lands of the Winnebagoes not prove to be sufficient to carry out the purposes and stipulations of this agreement, and some further aid be, from time to time, requisite, to enable said Indians to sustain themselves successfully in agricultural and other industrial pursuits, such additional means as may be necessary therefor shall be taken from the moneys due and belonging to them under the provisions of former treaties; and so much thereof as may be required to furnish them further aid, as aforesaid, shall be applied in such manner, under the direction of the Secretary of the Interior, as he shall consider best calculated to promote and advance their improvement and welfare; and, in order to render unnecessary any further treaty engagements or arrangements hereafter with the United States, it is hereby agreed and stipulated that the President, with the assent of Congress, shall have full power to modify or change any of the provisions of former treaties with the Winnebagoes in such manner and to whatever extent he may judge to be necessary and expedient for their welfare and best interests.

Provision in case proceeds of sale are insufficient to pay debts.

ARTICLE V. The Winnebagoes, parties to this agreement, are anxious that all the members of their tribe shall participate in the advantages herein provided for respecting their permanent settlement and their improvement and civilization, and to that end, to induce all that are now separated from, to rejoin and unite with them. It is therefore agreed that, as soon as practicable, the Commissioner of Indian Affairs shall cause the necessary proceedings to be adopted to have them notified of this agreement and its advantages, and to induce them to come in and unite with their brethren; and, to enable them to do so and to sustain themselves for a reasonable time thereafter, such assistance shall be provided for them, at the expense of the tribe, as may be actually necessary for those purposes: *Provided, however,* That those who do not rejoin and permanently reunite themselves with the tribe within one year from the date of the ratification of this agreement shall not be entitled to the benefit of any of its stipulations.

All members of tribe to be notified of this agreement.

Provi

ARTICLE VI. All the expenses connected with, and incident to, the making of this agreement, and the carrying out of its provisions, shall be defrayed out of the funds of the Winnebagoes.

Expenses to be paid from funds of Winnebagoes.

In testimony whereof, the said Charles E. Mix, commissioner as aforesaid, and the said chiefs and delegates of the Winnebago tribe of Indians, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

Signature.

CHARLES E. MIX, <i>Commissioner,</i>		[L. s.]
BAPTISTE LASSALLEUR,	his x mark.	[L. s.]
LITTLE HILL,	his x mark.	[L. s.]
LITTLE DE-CORRIE,	his x mark.	[L. s.]
PROPHET, (being sick, by his representative, Big Bear,)	his x mark.	[L. s.]
WAKON,	his x mark.	[L. s.]
CONO-HUTTA-KAU,	his x mark.	[L. s.]
BIG BEAR,	his x mark.	[L. s.]

ROGUE,	his x mark.	[L. s.]
YOUNG FRENCHMAN,	his x mark.	[L. s.]
ONE HORN,	his x mark.	[L. s.]
YELLOW BANKS,	his x mark.	[L. s.]
O-O-KAU,	his x mark.	[L. s.]

In presence of—

W. J. CULLEN, *Superintendent Indian Affairs.*
 CHARLES H. MIX, *United States Indian Agent for the Winnebagoes.*
 PETER MANAIZE, *United States Interpreter.*
 JOHN DOWLING.
 S. B. LOURY, *Interpreter.*
 D. CRAWFORD.
 JOSEPH R. BROWN, *Sioux Agent.*
 GEORGE H. HOLTZMAN.
 GEORGE L. OTIS.
 GEORGE CULVER.
 NATHAN MYRICK.
 HARRY H. YOUNG.
 HENRY FOSTER.
 ASA WHITE.

Ratification,
 March 16, 1861.

And, whereas, the said treaty, having been submitted to the Senate of the United States for their constitutional action thereon, the Senate did, on the sixteenth day of March, eighteen hundred and sixty-one, advise and consent to the ratification of the same, in the words and figures following, to wit:

“ IN EXECUTIVE SESSION,

“ SENATE OF THE UNITED STATES, March 16, 1861.

“ *Resolved*, (two-thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention, made and concluded at Washington City on the 15th day of April, 1859, between the United States and certain chiefs and delegates representing the Winnebago tribe of Indians.

“ Attest :

ASBURY DICKINS, *Secretary.*”

Pro. and
 March 1861.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the sixteenth of March, one thousand eight hundred and sixty-one, accept, ratify, and confirm the said treaty.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, and have signed the same with my hand.

Done at the city of Washington, this twenty-third day of March, in the year of our Lord one thousand eight hundred [L. s.] and sixty-one, and of the independence of the United States the eighty-fifth.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States and the Swan Creek and Black River Chippewas, and the Munsee or Christian Indians. Concluded July 16, 1859. Ratified by the Senate, April 19, 1860. Proclaimed by the President of the United States, July 9, 1860.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: July 16, 1859.

WHEREAS a treaty was made and concluded at the Sac and Fox Agency on the sixteenth day of July, one thousand eight hundred and fifty-nine, by David Crawford, commissioner on the part of the United States, and certain delegates hereinafter named representing the Swan Creek and Black River Chippewas, and the Munsee or Christian Indians, which treaty is in the following words, to wit:

Articles of agreement and convention made and concluded at the Sac and Fox agency, on this sixteenth day of July, one thousand eight hundred and fifty-nine, by David Crawford, commissioner on the part of the United States, and the following-named delegates representing the Swan Creek and Black River Chippewas and the Munsee or Christian Indians, they being duly authorized thereto by said Indians, viz: Esh-ton-quit, or Francis McCoonse, Edward McCoonse, William Turner, Antwine Gokey, Henry Donohoe, Ignatius Caleb, and John Williams. Contracting parties.

Whereas the Swan Creek and Black River band of Chippewas, of Kansas Territory, who were parties to the treaty of May 9, 1836, claim to be entitled to participate in the beneficial provisions of the subsequent treaty of August 2, 1855, under a misapprehension of the terms and conditions of said instrument, the provisions of which were only designed to embrace the Chippewas of Saginaw and that portion of the Chippewas of Swan Creek and Black River who were then residing in Michigan; and whereas a reservation of eight thousand three hundred and twenty acres, or thirteen sections of land, was set apart in Kansas Territory for the use of the Swan Creek and Black River band of Chippewas, in consideration of the cession and relinquishment of certain lands in the State of Michigan which were reserved for said band of Indians by the 6th article of the treaty of November 17, 1807; and in view of the fact that a part of the aforesaid band, who now reside in the Territory of Kansas, have not received their full proportion of the benefits designed to have been conferred upon them by the provisions of the second article of the treaty of May 9, 1836, it is understood to be the intention of the United States, in the execution of these articles of agreement and convention, to manifest their liberality and disposition to encourage said Indians in agricultural pursuits, and, with a view to remove from their minds all erroneous impressions respecting the non-fulfilment of the stipulations of former treaties, a liberal provision will be made for their benefit as hereinafter expressed. It is further understood to be the intention of this instrument to unite the Munsee or Christian Indians with the aforesaid band of Chippewas, in order to provide them with a suitable and permanent home, as contemplated by the act of Congress entitled "An act to confirm the sale Vol. vii. p. 503.
Vol. xi. p. 633.
Vol. vii. p. 106.
Intention of this treaty.

1858, ch. 122.
Vol. xi. p. 312.

of the reservation held by the Christian Indians, and to provide a permanent home for said Indians," approved June 8, 1858.

Former reservation to enure to benefit of that part of band now residing thereon, and be surveyed.

ARTICLE I. The United States agree that the reservation of eight thousand three hundred and twenty acres, or thirteen sections of land, in Franklin county, Kansas Territory, set apart for the entire band of Swan Creek and Black River Chippewas, shall inure to the benefit of that portion of said band now residing thereon, and the United States shall cause said reservation to be surveyed into sections, half, quarter, and quarter quarter sections, in harmony with the public land system. For the purpose of securing a permanent home thereon for the band of Munsee or Christian Indians who have expressed a desire to unite with said band of Chippewas, it is agreed between the contracting parties to this instrument that the aforesaid bands of Indians are hereby united for their mutual advantage as herein indicated. And within said reservation there shall be assigned, in severalty, to the members of said united bands, not exceeding forty acres of land to each head of a family, and not exceeding forty acres to each child or other member of said family; forty acres to each orphan child, and eighty acres to each unmarried person of the age of twenty-one years and upwards, not connected with any family, to include in each case, so far as practicable, a reasonable proportion of timber; and the selections shall be so made as to respect the present improvements of the aforesaid Chippewas, so far as the same can be done consistently with the rights of the Christian Indians, and when it is found expedient to select lands for one Indian, embracing part of the improvements made by another, then, in such case, a reasonable compensation shall be made for such improvements by the Indian to whom they may be assigned by the party entitled to the same, to be determined by the Secretary of the Interior, upon an investigation of the facts in the case. At a suitable point within said reservation there shall be set apart for the establishment of a manual labor school and educational and missionary purposes a quarter section of land, or one hundred and sixty acres, and the land so set apart, together with the tracts which may be assigned to the members of said united bands, shall be in as regular and compact a body as possible, and so as to admit of a distinct and well-defined exterior boundary, embracing the whole of them, and also any intermediate portions or parcels of land or water not included in or made part of the tracts assigned in severalty. Any such intermediate parcels of land and water shall be held by said united bands in common, but in case of increase in the bands of said Indians, or other cause rendering it necessary or expedient, the said intermediate parcels of land shall be subject to distribution and assignment in severalty, in such manner as the Secretary of the Interior shall prescribe and direct. The whole of the lands assigned or unassigned in severalty embraced within said exterior boundary to include in the aggregate not exceeding seven sections, or four thousand eight hundred and eighty acres of land, shall constitute and be known as the Chippewa and Christian Indian reservation, within and over which all laws passed or which may be passed by Congress, regulating trade and intercourse with the Indian tribes, shall have full force and effect. And no white person, except such as may be in the employ of the United States, shall be allowed to reside or go upon any portion of said reservation without the written permission of the Superintendent of Indian Affairs, or agent, or other person who may be intrusted with the management and control thereof. The aforesaid division and assignment of lands to the Indians shall be made under the direction of the Secretary of the Interior, and when approved by him shall be final and conclusive. Certificates shall be issued by the Commissioner of Indian Affairs for the tracts so assigned, specifying the names of the individuals to whom they have been assigned respectively, and that they are for the exclusive use and benefit of themselves, their heirs, and descendants; and said tracts

Munsees and Swan Creek, &c. Chippewas united.

Portions of land to be assigned in severalty.

Manual labor school, &c.

Lands held in common.

Amount of lands in reservation.

Laws thereon.

Whites not permitted, &c.

Division and assignment, how made.

Certificates.

shall not be alienated in fee, leased, or otherwise disposed of, except to the United States, or to the members of said bands of Indians, under such rules and regulations as may be prescribed by the Secretary of the Interior; and said lands shall be exempt from taxation, levy, sale, or forfeiture, until otherwise provided for by Congress. Prior to the issue of said certificates, the Secretary of the Interior shall make such rules and regulations as he may deem necessary and expedient, respecting the disposition of any of said tracts in case of the death of the person or persons to whom they may be assigned, so that the same shall be secured to the families of such deceased persons; and should any of the Indians to whom tracts shall be assigned abandon them, the said Secretary may take such action in relation to the proper disposition thereof as in his judgment may be necessary and expedient.

ARTICLE II. After all the selections and assignments hereinbefore specified shall have been made and approved, the residue of the land in the tract set apart for the use of the Swan Creek and Black River Chippewas, under the provisions of the fourth article of the treaty of May 9th, eighteen hundred and thirty-six, which may not be embraced by the exterior boundary of the reduced reservation, shall be appraised at a reasonable value, and the same shall be sold at public auction to the highest bidder, but no bid shall be received for a sum less than the appraised value, and the proceeds of sale, after deducting therefrom the expenses incident thereto, shall be regarded as belonging to the aforesaid band of Chippewas. The said band of Indians shall be allowed the sum of three thousand dollars out of the funds of the Christian Indians, as a consideration for the tracts of land which shall be assigned to the members of said band of Indians, and also the sum of six thousand dollars, (to be taken from the Treasury of the United States,) in full satisfaction of all claims and demands, legal, equitable, or otherwise, which the aforesaid band of Chippewas may have against the United States under the stipulations and provisions of former treaties, and these sums of money, together with the proceeds of the sales of the lands before mentioned, shall be invested in the manner hereinafter provided. And to enable the Secretary of the Interior to liquidate the allowance of the aforesaid sum of six thousand dollars, he is authorized, at his discretion, to dispose of the stock of the State of Missouri, purchased from avails of land sold under the treaty of eighteen hundred and thirty-six, and such a sum from interest accruing thereon, and of any balance of annuities now in the treasury of the United States, resulting from other treaties with said Indians.

ARTICLE III. For the purpose of comfortably establishing the Christian Indians upon the lands which shall be assigned to them in severalty, by building them houses, and furnishing them with agricultural implements, stock animals, and other necessary aid and facilities for commencing agricultural pursuits under favorable circumstances, there shall be expended, under the direction of the Secretary of the Interior, (out of the aggregate sum of forty-three thousand four hundred dollars deposited in the Treasury of the United States by A. J. Isacks, to the credit of said Secretary for the use of the Christian Indians,) a sum not exceeding twenty-three thousand dollars, and the balance of the aforesaid aggregate sum shall be mingled with the funds of the aforesaid band of Chippewas, and the moneys so mingled together shall constitute a joint fund, subject to the direction and control of the Secretary of the Interior. Two thousand dollars thereof shall be expended for the benefit of said united bands of Indians, in providing them with a school-house, church building, and blacksmith shop, and necessary fixtures, and the residue of said joint fund, after deducting therefrom all the expenses incident to the negotiation of this treaty, the survey and assignment of the lands, the concentration of the Indians thereon, and all other necessary expenses, shall be invested in safe and profitable stocks, yielding an interest of not less than five per centum

Residue of land to be sold.

Vol. vii. p. 106.

Allowance of money; how to be raised.

Appropriation for stock, agricultural implements, &c.

School-house and shops.

per annum; and said interest, as it becomes due, shall be applied, under the direction of the Secretary of the Interior, from time to time, for educational purposes, for the support of a blacksmith shop, and such other beneficial objects as he may adjudge to be necessary and expedient for the general prosperity and advancement of the aforesaid bands of Indians in the arts of civilized life.

Relinquishment of claims by the Indians.

ARTICLE IV. In consideration of the provisions contained in the several articles of this treaty, the aforesaid band of Swan Creek and Black River Chippewas hereby relinquish all claims and demands which they may have against the United States, under the stipulations of the treaty of November 17, 1807, and the treaty of May 9, 1836; and they hereby abandon and renounce any and all claims to participate in the provisions of the subsequent treaty of August 2, 1855, and they receive the stipulations and provisions contained in these articles of agreement and convention, in full satisfaction of the terms and conditions of all former treaties, and release the United States from the payment of all claims of every character whatsoever.

Right of way.

ARTICLE V. It is agreed that all roads and highways, laid out by authority of law, shall have right of way through the lands within the reservation hereinbefore specified, on the same terms as are provided by law, when roads and highways are made through lands of citizens of the United States; and railroad companies, when the lines of their roads necessarily pass through the lands of said Indians, shall have right of way on the payment of just compensation therefor in money.

When this treaty takes effect.

ARTICLE VI. This instrument shall be obligatory on the contracting parties whenever the same shall be ratified by the President and the Senate of the United States.

Signature.

In testimony whereof, the said David Crawford, commissioner as aforesaid, and the undersigned delegates of the united bands of Swan Creek and Black River Chippewas, and the Munsee or Christian Indians, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

DAVID CRAWFORD, <i>United States Commissioner.</i>		[L. s.]
ESH-TON-QUIT, or FRANCIS McCOONSE	his x mark.	[L. s.]
EDWARD McCOONSE,	his x mark.	[L. s.]
WILLIAM TURNER,		[L. s.]
ANTWINE GOKEY,	his x mark.	[L. s.]
HENRY DONOHUE,		[L. s.]
IGNATIUS CALEB,	his x mark.	[L. s.]
JOHN WILLIAMS.		[L. s.]

Signed and sealed in the presence of —

HUGH S. WALSH, *Secretary of Kansas Territory.*

PERRY FULLER, *U. S. Agent.*

CYRUS F. CURRIER.

THOS. J. CONNOLLY, *U. S. Interpreter.*

Ratification April 19, 1860.

And whereas, the said treaty having been submitted to the Senate of the United States, for its constitutional action thereon, the Senate did, on the nineteenth day of April, one thousand eight hundred and sixty, advise and consent to the ratification of the same, by a resolution in the words and figures following, to wit:

“ IN EXECUTIVE SESSION,

“ SENATE OF THE UNITED STATES, April 19, 1860.

“ *Resolved*, (two thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention made and concluded at the Sac and Fox Agency, on the 15th day of July, 1859, by David Crawford, commissioner on the part of

TREATY WITH THE SWAN CREEK, &c. INDIANS. JULY 16, 1859. 1109

the United States, and certain delegates representing the Swan Creek and Black River Chippewas, and the Munsee or Christian Indians.

“ Attest :

ASBURY DICKINS.”

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in its resolution of the nineteenth day of April, eighteen hundred and sixty, accept, ratify, and confirm said treaty.

Proclaimed
April 19, 1860.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, and have signed the same with my hand.

Done at the city of Washington, this ninth day of July, in the year of our Lord one thousand eight hundred and sixty, and of the

[SEAL.] Independence of the United States the eighty-fifth.

JAMES BUCHANAN.

By the President :

WM. HENRY TRESNOT, *Acting Secretary of State.*

Treaty between the United States of America and the Kansas Tribe of Indians. Concluded, October 5, 1859. Ratified by the Senate, June 27, 1860. Proclaimed by the President of the United States, November 17, 1860.

JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING : October 5, 1859.

WHEREAS a treaty was made and concluded at the Kansas agency, in the Territory of Kansas, on the fifth day of October, eighteen hundred and fifty-nine, by and between Alfred B. Greenwood, commissioner on part of the United States, and the hereinafter named chiefs and headmen representing the Kansas tribe of Indians, being duly authorized by said tribe, which treaty is in the words and figures following, to wit :

Articles of agreement and convention made and concluded at the Kansas agency, in the Territory of Kansas, on the fifth day of October, eighteen hundred and fifty-nine, by and between Alfred B. Greenwood, commissioner on the part of the United States, and the following named chiefs and headmen representing the Kansas tribe of Indians, to wit: Ke-hi-ga-wah Chuffe, Ish-tal-a-sa, Ne-hoo-ja-in-gah, Ki-hi-ga-wat-te-in-gah, Ki-he-gah-cha, Al-li-ca-wah-ho, Pah-hous-ga-tun-gah, Ke-hah-lah-la-hu, Ki-ha-gah-chu, Ee-le-sun-gah, Wah-pah-jah, Ko-sah-mun-gee, Oo-ga-shama, Wah-Shumga, Wah-ti-inga, Wah-e-la-ga, Pa-ha-ne-ga-la, Pa-ta-go, Cahulle, Ma-she-tum, Wa-no-ba-ga-ha, She-ga-wa-sa, Ma-his-pa-wa-cha, Ma-shon-o-pusha, Ja-ha-sha-watanga, Ki-he-ga-tussa, and Ka-la-sha-wat-lumga, they being thereto duly authorized by said tribe.

Contracting parties.

ARTICLE I. The Kansas Indians having now more lands than are necessary for their occupation and use, and being desirous of promoting settled habits of industry amongst themselves by abolishing the tenure in common by which they now hold their lands, and by assigning limited quantities thereof in severalty to the members of their tribe, owning an interest in their present reservation, to be cultivated and improved for their individual use and benefit, it is agreed and stipulated that that portion of their reservation commencing at the southwest corner of said reservation, thence north with the west boundary nine miles, thence east fourteen miles, thence south nine miles, thence west with the south boundary fourteen miles to the place of beginning, shall be set apart and retained by them for said purposes, and that out of the same there shall be assigned to each head of a family not exceeding forty acres, and to each member thereof not exceeding forty acres, and to each single male person of the age of twenty-one years and upwards not exceeding forty acres of land, to include in every case, as far as practicable, a reasonable proportion of timber. One hundred and sixty acres of said retained lands, in a suitable locality, shall also be set apart and appropriated to the occupancy and use of the agency of said Indians, and one hundred and sixty acres of said lands shall also be reserved for the establishment of a school for the education of the youth of the tribe.

Portion of reservation to be set apart and assigned in severalty to members of tribe.

Boundaries.

Assignments.

Indian agency and schools.

ARTICLE II. The lands to be so assigned, including those for the use of the agency, and those reserved for school purposes, shall be in as regular and compact a body as possible, and so as to admit of a distinct and well-defined exterior boundary, embracing the whole of them, and any

Land assigned to be in compact form, &c.

intermediate portions or parcels of land or water not included in or made part of the tracts assigned in severalty. Any such intermediate parcels of land and water shall be owned by the Kansas tribe of Indians in common, but in case of increase in the tribe, or other cause rendering it necessary or expedient, the said intermediate parcels of land shall be subject to distribution and assignment in such manner as the Secretary of the Interior shall prescribe and direct. The whole of the lands assigned or unassigned in severalty, embraced within the said exterior boundary, shall constitute and be known as the Kansas Reservation, within and over which all laws passed, or which may be passed by Congress, regulating trade and intercourse with the Indian tribes, shall have full force and effect. And no white person, except such as shall be in the employment of the United States, shall be allowed to reside or go upon any portion of said reservation without the written permission of the superintendent of Indian Affairs, or of the agent for the tribe.

To be called the Kansas Reservation.

Whites not to reside thereon.

Assignment, &c., to be under direction of Secretary of Interior. Certificates to issue.

Lands not to be alienated, &c.

Secretary of Interior to make rules and regulations.

ARTICLE III. Said division and assignment of lands to the Kansas tribe of Indians in severalty shall be made under the direction of the Secretary of the Interior, and when approved by him shall be final and conclusive. Certificates shall be issued by the commissioner of Indian Affairs for the tracts so assigned, specifying the names of the individuals to whom they have been assigned respectively and that they are for the exclusive use and benefit of themselves, their heirs and descendants, and said tracts shall not be alienated in fee, leased or otherwise disposed of, except to the United States or to other members of the tribe, under such rules and regulations as may be prescribed by the Secretary of the Interior; and they shall be exempt from taxation, levy, sale, or forfeiture, until otherwise provided by Congress. Prior to the issue of said certificates, the Secretary of the Interior shall make such rules and regulations, as he may deem necessary and expedient respecting the disposition of any of said tracts, in case of the death of the person or persons to whom they may be assigned, so that the same shall be secured to the families of such deceased persons; and should any of the Indians to whom tracts shall be assigned abandon them, the said Secretary may take such action in relation to the proper disposition thereof as in his judgment may be necessary and proper.

Certain lands may be sold.

Mode of sale. See amendment, *post*, p. 174.

Proceeds, how expended.

Debts to be paid from proceeds of sales.

ARTICLE IV. For the purpose of procuring the means of comfortably establishing the Kansas tribe of Indians upon the lands to be assigned to them in severalty, by building them houses, and by furnishing them with agricultural implements, stock animals, and other necessary aid and facilities for commencing agricultural pursuits under favorable circumstances, the lands embraced in that portion not stipulated to be retained and divided as aforesaid shall be sold, under the direction of the Secretary of the Interior, in parcels not exceeding one hundred and sixty acres each, to the highest bidder for cash, the sale to be made upon sealed proposals to be duly invited by public advertisement, and should any of the tracts so to be sold have upon them improvements of any kind, which were made by or for the Indians, or for government purposes, the proposals therefor must state the price for both the land and improvements, and if, after assigning to all the members of the tribe entitled thereto, their proportions in severalty, there shall remain a surplus of that portion of the reservation retained for that purpose, outside of the exterior boundary line of the lands assigned in severalty, the Secretary of the Interior shall be authorized and empowered, whenever he shall think proper, to cause such surplus to be sold in the same manner as the other lands to be so disposed of, and the proceeds thereof to be expended for their benefit in such manner as the Secretary of the Interior may deem proper.

ARTICLE V. The Kansas tribe of Indians being anxious to relieve themselves from the burden of their *present* liabilities, and it being very essential to their welfare that they shall be enabled to commence their

new mode of life and pursuits free from the annoyance and embarrassment thereof, or which may be occasioned thereby, it is agreed that the same shall be liquidated and paid out of the fund arising from the sale of their surplus lands so far as found valid and just, (if they have the means,) on an examination thereof, to be made by their agent and the Superintendent of Indian Affairs for the central superintendency, subject to revision and confirmation by the Secretary of the Interior.

ARTICLE VI. Should the proceeds of the surplus lands of the Kansas tribe of Indians not prove to be sufficient to carry out the purposes and stipulations of this agreement, and some further aid be necessary, from time to time, to enable said Indians to sustain themselves successfully in agricultural and other industrial pursuits, such additional means may be taken, so far as may be necessary, from the moneys due and belonging to them under the provisions of former treaties, and so much thereof as may be required to furnish further aid as aforesaid shall be applied in such manner, under the direction of the Secretary of the Interior, as he shall consider best calculated to promote and advance their improvement and welfare.

Provision in case proceeds of sales are insufficient.

ARTICLE VII. In order to render unnecessary any further treaty engagements or arrangements hereafter with the United States, it is hereby agreed and stipulated that the President, with the assent of Congress, shall have full power to modify or change any of the provisions of former treaties with the Kansas tribe of Indians in such manner and to whatever extent he may judge to be necessary and expedient for their welfare and best interest.

President, with assent of Congress, may modify treaties with the Kansas Indians.

ARTICLE VIII. All the expenses connected with and incident to the making of this agreement, and the carrying out its provisions, shall be defrayed out of the funds of the Kansas tribe of Indians.

Expenses to be paid out of funds of Kansas Indians.

ARTICLE IX. The Kansas tribe of Indians being desirous of manifesting their good-will towards the children of their half-breed relatives now residing upon the half-breed tract on the north side of the Kansas River, agree that out of the tract retained by this agreement there shall also be assigned, in severalty, to the eight children of Julia Pappan forty acres each, to the three children of Adel Bellmard, to the four children of Jasette Gouville, to the child of Lewis Pappan, to the four children of Pelagia Obrey, to the child of Acaw Pappan, to the two children of Victoria Pappan, to the two children of Elizabeth Carboneau, to the child of Victoria Williams, to the child of Joseph Butler, to the child of Joseph James, to the two children of Pelagia Pushal, Frank James, and Batest Gouville, forty acres each, but the land so to be assigned under this article shall not be alienated in fee, leased, or otherwise disposed of, except to the United States or to other members of the tribe, under such regulations as may be prescribed by the Secretary of [the] Interior.

Assignment to children of Julia Pappan and others.

Land not to be alienated, &c.

ARTICLE X. It is agreed that all roads and highways laid out by authority of law shall have right of way through the lands within the reservation hereinbefore specified, on the same terms as are provided by law when roads and highways are made through lands of citizens of the United States; and railroad companies, when the lines pass through the lands of said Indians, shall have right of way on the payment of a just compensation therefor in money.

Right of way for roads.

ARTICLE XI. This instrument shall be obligatory on the contracting parties whenever the same shall be ratified by the President and Senate of the United States.

Agreement when to be obligatory.

In testimony whereof the said Alfred B. Greenwood, commissioner as aforesaid, and the said chiefs and headmen of the Kansas tribe of Indians, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

Signature.

In presence of (the words *upon the lands* and the word *pursuits*, upon fifth page, interlined before signing) —

MILTON C. DICKNEY, *U. S. Indian Agent*,
 JOSEPH JAMES, *U. S. Interpreter*,
 JOHN GOODELL,
 FRANK LECOMPTE.

ALFRED B. GREENWOOD. [L. S.]

KI-HE-GA-WAH-CHUFFEE,	his x mark	[L. S.]
ISH-TAL-A-SA,	his x mark	[L. S.]
NEE-HOO-JA-IN-GA,	his x mark	[L. S.]
KI-HI-GA-WAT-TE-IN-GA,	his x mark	[L. S.]
KI-HE-GAH-CHA,	his x mark	[L. S.]
AL-LI-CAH-WAH-HO,	his x mark	[L. S.]
PAH-HOUS-GA-TUN-GAH,	his x mark	[L. S.]
KE-HAH-LAH-LA-HU.	his x mark	[L. S.]
EE-HE-SUN-GAH,	his x mark	[L. S.]
KO-SAH-MUNGEE,	his x mark	[L. S.]
WAH-PA-JAH,	his x mark	[L. S.]
OO-GAH-SHA-MA,	his x mark	[L. S.]
WAH-SHUN-GA,	his x mark	[L. S.]
WAH-TI-IN-GA,	his x mark	[L. S.]
SHA-KEP-PAH,	his x mark	[L. S.]
OO-GA-SHA-MA,	his x mark	[L. S.]
WAH-E-LAH-GA,	his x mark	[L. S.]
PA-HA-NE-GA-LI,	his x mark	[L. S.]
PA-TA-GO-HULLE,	his x mark	[L. S.]
MA-SHE-TUM-WA,	his x mark	[L. S.]
NO-BA-GA-HA,	his x mark	[L. S.]
SHE-GA-WA-SA,	his x mark	[L. S.]
MA-HIS-PA-WA-CHA,	his x mark	[L. S.]
MA-SHON-O-PUSHA,	his x mark	[L. S.]
JA-HA-SHA-WATUNGA,	his x mark	[L. S.]
KI-HE-GA-TUSSA,	his x mark	[L. S.]
KA-LA-SHA,	his x mark	[L. S.]

Ratification,
 June 27, 1860.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the twenty-seventh day of June, one thousand eight hundred and sixty, advise and consent to the ratification of the same by a resolution, and with an amendment in the words and figures following, to wit :

“IN EXECUTIVE SESSION,

“SENATE OF THE UNITED STATES, June 27, 1860.

“*Resolved*, (two-thirds of the Senators present concurring.) That the Senate advise and consent to the ratification of the articles of agreement and convention made and concluded at the Kansas agency, in the Territory of Kansas, on the fifth day of October, eighteen hundred and fifty-nine, between Alfred B. Greenwood, commissioner on the part of the United States, and certain chiefs and headmen representing the Kansas tribe of Indians, with the following amendment :

Amendment.

“ At the end of the fourth article add the following :

Bona fide settlers.

“ *Provided*, That all those who had in good faith settled and made improvements upon said reservation prior to the second day of December, eighteen hundred and fifty-six, (that being the day when the survey was certified by the agent of the tribe,) and who would have been entitled to enter their improvements under any general or special pre-emption law, (had their improvements not fallen within the reservation,) such settlers shall be permitted to enter their improvements at the sum of one dollar and seventy-five cents per acre, in cash ; said entries to be made in legal sub-

Ante, p. 172.

divisions and in such quantities as the pre-emption laws under which they may claim entitle them to locate: payments to be made on or before a day to be named by the Secretary of the Interior: *And provided, further*, That all those who had in good faith settled upon that portion of the reservation retained by this treaty for the future homes of the Kansas tribe of Indians, and had made *bonâ fide* improvements thereon prior to the second day of December, eighteen hundred and fifty-six, aforesaid, and who would have been entitled to enter their lands, under the general pre-emption law, at one dollar and twenty-five cents per acre, had their improvements not fallen upon the reservation, such settlers shall be entitled to receive a fair compensation for their improvements, to be ascertained by the Commissioner of Indian Affairs, under the direction of the Secretary of the Interior; such compensation to be paid out of the proceeds of the lands sold in trust for said tribe of Indians. All questions growing out of this amendment, and rights claimed in consequence thereof, shall be determined by the Commissioner of Indian Affairs, to be approved by the Secretary of the Interior. And in all cases where licensed traders, or others lawfully there, may have made improvements upon said reservation, the Secretary of the Interior shall have power to adjust the claims of each upon fair and equitable terms, they paying a fair value for the lands awarded to such persons, and shall cause patents to issue in pursuance of such award.

Licensed traders.

"Attest:

ASBURY DICKINS, *Secretary.*"

And whereas the foregoing amendment having been fully interpreted and explained to the aforesaid chiefs and headmen of the Kansas tribe, they did, on the fourth day of October, one thousand eight hundred and sixty, at the Kansas agency, in the Territory of Kansas, agree to and ratify the same, in the words and figures following, to wit:

Amendment
agreed to, October
4, 1860.

Whereas the Senate of the United States, in executive session, did, on the 27th day of June, A. D. 1860, advise and consent to the ratification of the "articles" of agreement and convention made and concluded at the Kansas agency, in the Territory of Kansas, on the fifth day of October, eighteen hundred and fifty-nine, between Alfred B. Greenwood, commissioner on the part of the United States, and certain chiefs and headmen representing the Kansas tribe of Indians, with the following

Amendment, viz.:

At the end of the fourth article add the following: *Provided*, That all those who had, in good faith, settled and made improvements upon said reservation, prior to the second day of December, eighteen hundred and fifty-six, (that being the day when the survey was certified by the agent of the tribe,) and who would have been entitled to enter their improvements under any general or special pre-emption law, (had their improvements not fallen within the reservation,) such settlers shall be permitted to enter their improvements at the sum of one dollar and seventy-five cents per acre, in cash; said entries to be made in legal subdivisions, and in such quantities as the pre-emption laws under which they may claim entitle them to locate; payments to be made on or before a day to be named by the Secretary of the Interior: *And provided, further*, That all those who had in good faith settled upon that portion of the reservation retained by this treaty for the future homes of the Kansas tribe of Indians, and had made *bonâ fide* improvements thereon prior to the second day of December, eighteen hundred and fifty-six, aforesaid, and who would have been entitled to enter their lands under the general pre-emption law at one dollar and twenty-five cents per acre, had their improvements not fallen upon the reservation, such settlers shall be entitled to receive a fair compensation for their improvements, to be ascertained by the Commissioner of Indian Affairs, under the direction of the Secretary of the Interior; such

compensation to be paid out of the proceeds of the lands sold in trust for said tribe of Indians. All questions growing out of this amendment, and rights claimed in consequence thereof, shall be determined by the Commissioner of Indian Affairs, to be approved by the Secretary of the Interior. And in all cases where licensed traders, or others lawfully there, may have made improvements upon said reservation, the Secretary of the Interior shall have power to adjust the claims of each upon fair and equitable terms, they paying a fair value for the lands awarded to such persons, and shall cause patents to issue in pursuance of such award.

We, the undersigned, chiefs and headmen, representing the Kansas tribe of Indians, having heard the foregoing amendment read, and the same having been fully explained to us by our agent, do hereby agree and ratify the same.

Done at Kansas agency this fourth day of October, A. D. 1860.

Signed in the presence of—

M. C. DICKEY, *U. S. Sub-Agent*,
 A. B. GREENWOOD, *Commissioner*,
 HUGH S. WALSH,
 F. S. HUFFAKER, *Interpreter*.

KI-HE-GA-WAH-CHUFFEE,	his x mark.	[L. S.]
ISH-TAL-A-SA,	his x mark.	[L. S.]
NEE-HOO-JA-IN-GA,	his x mark.	[L. S.]
KI-HI-GA-WAT-TE-INGA,	his x mark.	[L. S.]
KI-HE-GAH-CHA,	his x mark.	[L. S.]
AL-LI-CAH-WAH-HO,	his x mark.	[L. S.]
PAH-HOUS-GA-TUN-GAH,	his x mark.	[L. S.]
KE-HAH-LAH-LA-HU,	his x mark.	[L. S.]
EE-HE-SUM-GAH,	his x mark.	[L. S.]
WA-PAH-JAH,	his x mark.	[L. S.]
WAH-TAH-IN-GAH,	his x mark.	[L. S.]
SHAH-KIP-PAH,	his x mark.	[L. S.]
OO-GA-SHA-MA,	his x mark.	[L. S.]
WAH-E-LAH-GA,	his x mark.	[L. S.]
PA-HA-NE-GAH,	his x mark.	[L. S.]
PA-TA-GO-HULLE,	his x mark.	[L. S.]
MA-SHE-TUM-WA,	his x mark.	[L. S.]
NI-HA-GA-HA,	his x mark.	[L. S.]
SHE-GA-WA-SA,	his x mark.	[L. S.]
MA-HIS-PA-WACHA,	his x mark.	[L. S.]
MA-SHON-O-PUSHA,	his x mark.	[L. S.]
CHA-HA-SHA-WATUNGA,	his x mark.	[L. S.]
KI-HE-GA-TUSSA,	his x mark.	[L. S.]
KA-WA-LE-SHA,	his x mark.	[L. S.]
WAH-HUNA-A-SHA,	his x mark.	[L. S.]
WUMA-SUM-FAH,	his x mark.	[L. S.]
LES-U-SHA,	his x mark.	[L. S.]

Proclaimed by
 the President
 June 7, 1860.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the twenty-seventh day of June, one thousand eight hundred and sixty, accept, ratify, and confirm said treaty with the amendment as aforesaid.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this seventeenth day of November, in the year of our Lord one thousand eight hundred and sixty, and of the Independence of the United States the eighty-fifth.

JAMES BUCHANAN.

By the President:

LEWIS CASS, *Secretary of State*.

Convention between the United States of America and His Majesty the King of the Belgians. Concluded and signed at Washington, December 21, 1859. Ratifications exchanged at Washington, October 19, 1860. Proclaimed by the President of the United States, October 20, 1860.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

PROCLAMATION.

WHEREAS a Postal Convention between the United States of America and his Majesty the King of the Belgians was concluded and signed at Washington, by the plenipotentiaries of the parties, on the twenty-first day of December, one thousand eight hundred and fifty-nine, which convention is, word for word, as follows: Dec. 21, 1859.

POSTAL CONVENTION BETWEEN THE UNITED STATES AND BELGIUM.

Articles agreed upon between the General Post Office of the United States of America, by Joseph Holt, Postmaster General, in virtue of his constitutional powers, and the General Post Office of Belgium, by his Excellency M. Blondeel Van Cuelebroeck, Envoy Extraordinary and Minister Plenipotentiary of his Majesty the King of the Belgians, and invested with special powers to that effect, for the reciprocal receipt and delivery of letters and packets in closed mails to be conveyed through England, under the fifteenth article of the postal treaty between Belgium and Great Britain of the 14th (28th) August, 1857, as well as by any direct line of steamships which may be established between the United States and Belgium. In pursuance of this object, the following details are hereby agreed upon, viz: Contracting parties.

ARTICLE I. There shall be a periodical and regular exchange of correspondence between Belgium and the United States of America at the times and by the means of communication and transport which shall be hereafter indicated, as well for letters, samples of merchandise, newspapers and printed matter, originating in the two countries, as for articles of the same nature originating in or intended for countries which shall be enabled to make use of the postal service organized by the present convention. Exchange of correspondence.

When the senders shall not have indicated any other route in the superscription, correspondence of every kind, either addressed from Belgium to the United States and their Territories, or from the United States and their Territories to Belgium, shall be invariably comprised in the closed mails which the Belgian and United States Post Offices shall exchange in conformity to the second article of the present convention. Route.

The two above-mentioned offices reserve to themselves, nevertheless, the right to send and receive by such other route as they may think fit, correspondence originating in or destined for countries to which they respectively serve as intermediate points.

ARTICLE II. Until other arrangements shall be made, the correspondence to be exchanged between the Post Offices of the United States and Belgium shall be delivered by each party in closed mails at the proper Post Offices in the United Kingdom of Great Britain and Ireland, to be transported through Great Britain, in conformity with the conven- Closed mails.

tion of August 14 (28), 1857, concluded between the Post Offices of Belgium and of Great Britain.

Expenses, how to be borne.

The Post Office of Belgium shall pay the expenses resulting from the transportation in transit of the said closed mails over the British territory, and across the British channel. The United States Post Office, on its side, shall pay the expenses resulting from the transportation of the said mails across the Atlantic ocean by the United States packets or by those of Great Britain.

The Belgian Post Office engages itself, nevertheless, notwithstanding this last clause, and until a contrary decision is taken by common agreement between that office and that of the United States, to pay the expenses resulting from the transportation across the Atlantic ocean of articles of printed matter, other than newspaper and periodical works, for such of said articles of printed matter as shall be contained in the mails transported by the British packets.

Exchange of mails.

ARTICLE III. The exchange of mails despatched from the United States for Belgium, and, *vice versa*, by way of England, shall take place through the following post offices, to wit:

Through what offices, and how often.

1. On the part of the United States through the post offices of New York and Boston.

2. On the part of Belgium through the local office Ostend, travelling office Ostend, and Antwerp.

The exchange offices above designated shall reciprocally make a despatch at least once a week, in coincidence as far as possible with the regular sailing of the Anglo-American steamers, until arrangements shall be made to establish a more frequent communication, or a direct communication, between Belgium and the United States, in conformity with the provisions of articles xxiii., xxiv., xxv., and xxvi., of this convention.

Correspondence sent from one of the two countries to the other via England shall be directed conformably to the table, letter G, attached to the present articles.

Other exchange offices.

ARTICLE IV. Independently of the exchange offices mentioned in the preceding article, others may, by mutual agreement, be established upon other points of the coasts of the two countries for which direct communication may hereafter be deemed necessary.

Postage may be prepaid or not.

ARTICLE V. Persons who may be desirous of sending ordinary letters, either from Belgium to the United States, or from the United States to Belgium, shall have the option of leaving the entire postage to be paid by the person to whom they are addressed, or of prepaying the same to their destination. But no account shall be taken of any sum less than the whole combined rate, nor of any fractions of the whole rate.

Rate of letters and packets.

ARTICLE VI. Each letter or packet weighing not over fifteen grammes, or half an ounce, shall be considered single.

If above fifteen, and not over thirty grammes, (one half ounce to one ounce,) it shall pay double the charge of a single letter.

If above thirty and not over sixty grammes, (one to two ounces,) it shall pay quadruple the charge on a single letter; and so on, adding two rates for every thirty grammes, or one ounce, or fraction of an ounce.

Postage.

ARTICLE VII. Letters prepaid, or not prepaid, originating in Belgium, and addressed to the United States, and reciprocally, letters prepaid, or not prepaid, originating in the United States, and destined for Belgium, shall be stamped in both countries with the uniform charge of one franc forty centimes, or twenty-seven cents, per single letter. This charge shall be divided in the following manner:

How divided.

United States postage.....	5 cents.
Sea postage.....	15 "
British transit postage.....	4 "
Belgian postage.....	3 "

—
27 cents.

It is understood that the whole combined rate thus established shall be reduced in proportion to the reduction which may hereafter be made in either of the rates forming the whole rate, and that, if either rate is entirely dispensed with, it shall not go toward making up any part of the total amount. Any modification of the actual established rate of one franc forty centimes in Belgium, or twenty-seven cents in the United States, must be made by mutual agreement of the two contracting parties.

Provision in case of future reduction of rates.

ARTICLE VIII. Samples of merchandise shall pay letter postage.

Samples of merchandise. Postage how to be reciprocally accounted for.

ARTICLE IX. The postage for which the United States and Belgian Post Offices shall reciprocally account to each other upon letters which shall be exchanged between them in closed mails, shall be established, letter by letter, according to the scale of progression determined by the preceding Article VI.

The Belgian office shall pay to the United States office, for each unpaid letter weighing fifteen grammes, (half an ounce,) or less, originating in the United States and destined for Belgium, as well as for each letter of like weight prepaid in Belgium and destined for the United States, the sum of twenty cents, including fifteen cents for the expenses of transportation across the Atlantic ocean.

On its side, the United States office shall pay to the Belgian office for each unpaid letter weighing half an ounce or less, originating in Belgium and destined for the United States, as well as for each letter of like weight prepaid in the United States and destined for Belgium, the sum of seven cents, including four cents for the expenses of transportation over the British territory and across the British channel.

It is understood that the postage for which the two offices, American and Belgian, shall account to each other, shall always be the exact representation of what shall be really paid.

1. The United States and Belgian inland.
2. The sea postage.
3. The British transit postage and postage across the British channel.

Foreign letters.

ARTICLE X. Letters originating in countries beyond the United States, destined for Belgium, as well as letters originating in countries availing themselves of the Belgian route, other than in closed mails, and destined for the United States, shall be respectively stamped with the uniform charge stipulated in Article VII. of the present convention, and to which the amount of the foreign charges must be added.

Three months after the exchange of the ratifications of the present convention, the two Post Offices shall furnish to each other, reciprocally, lists of the foreign countries for which the prepayment of letters shall be obligatory, or optional, either to their destination or to a determinate point. But until such lists shall be furnished, neither of the two Post Departments shall despatch to the other letters originating in or destined for countries situated beyond their respective territories.

Lists to be furnished.

ARTICLE XI. It is understood that the letters mentioned in the preceding Article X. can be delivered on either side, only by the piece, upon the reimbursement by credit or payment of the allotted part of the international and foreign postage belonging to each office with which such letters are charged.

Same subject.

ARTICLE XII. The United States offices of exchange, in charging the postage due to the Post Office of Belgium, shall uniformly make use of weights having the American ounce for unit, with its division into half-ounces; and the Belgian offices of exchange, in charging the postage due to the United States, shall uniformly make use of weights having the decimal gramme for unit, (thirty grammes being considered equal to one ounce American.)

Scale of weights.

ARTICLE XIII. Newspapers, gazettes, periodical works, books stitched or bound, pamphlets, papers of music, catalogues, prospectuses, advertisements and notices of various kinds printed, engraved, lithographed or autographed, which shall be sent either from Belgium to the United States

Newspapers, pamphlets, &c.

and their Territories, or from the United States and their Territories to Belgium, must on each side be prepaid to their destination. Newspapers and articles of printed matter, which are not prepaid, cannot be forwarded.

Postage on newspapers, &c.

ARTICLE XIV. The price of prepayment of newspapers, gazettes, and periodical works, shall be levied at the rate of twenty-five centimes in Belgium, or of five cents in the United States, for each package the weight of which shall not exceed ninety grammes (three ounces). Packages weighing more than ninety grammes shall pay an additional rate for each ninety grammes or fraction of ninety grammes. The price of prepayment of stitched or bound books, of pamphlets, of papers of music, of catalogues, of prospectuses, of advertisements and of notices of various kinds, printed, engraved, lithographed, or autographed, shall be levied at the rate of twenty-five centimes in Belgium, or of five cents in the United States, per thirty grammes, (one ounce,) or fraction of thirty grammes.

How to be divided.

The proceeds of the above-mentioned rates shall be divided between the offices of the two countries, in the proportion of three-fifths, or three cents, to the profit of the Post Office of Belgium, including two cents for expenses of transit through England and across the British channel, and of two-fifths, or two cents, to the profit of the United States Office, including one cent for expenses of transportation across the Atlantic ocean.

Notwithstanding this latter clause, and until a contrary decision is taken by common agreement between the Post Offices of Belgium and of the United States, the division of the product of the postage on articles of printed matter other than newspapers and periodical works, shall take place in the proportions hereinafter indicated, for such of those articles as shall be contained in the mails transported by the British packets, viz :

A. Four-fifths, or four cents, to the profit of the Belgian Post Office, including three cents for expenses of transportation over the British territory, in the British channel, and across the Atlantic ocean.

B. One-fifth, or one cent, to the profit of the United States Post Office for the expenses of transportation over the territory of the United States.

Newspapers and printed matter of every sort sent agreeably to the above mentioned conditions shall be subject to the respective laws and regulations of each country. Those which shall contain characters of any kind traced by the hand shall be subject to the postage of an ordinary letter of the same weight. They shall be sent under a wrapper open at the two sides, and in such a manner that each newspaper, or article of printed matter, may always be separated from its wrapper.

Letter-bill to accompany each mail.

Form and contents.

ARTICLE XV. Each of the mails despatched between the exchange offices of the respective Post Offices shall be accompanied by a letter bill in which these offices shall state, with the classification established by the present convention, the number, the weight, or the postage of the articles which the despatch may contain; and the receiving exchange office shall return by next post an acknowledgment of the receipt thereof. The letter bills and acknowledgments shall be according to the forms annexed marked A and B.*

When blank letter to be sent.

ARTICLE XVI. If there should be no letters or other mail matter to send at the usual period of making up said closed mails from either of the offices of exchange, a blank letter bill showing that fact shall nevertheless be sent to the corresponding office.

Letter-bills &c. to serve as vouchers.

ARTICLE XVII. The letter bills and acknowledgments shall serve for vouchers in the quarterly settlement of the accounts; and in case of difference between these documents, the amount stated in the acknowledgment shall be received in preference to that stated in the letter bill.

Accounts, when to be settled.

ARTICLE XVIII. The accounts between the two Departments shall be closed at the expiration of each quarter of the calendar year by quarterly

* The forms referred to in the text as annexed marked A, B, C, D, E, & F, are not printed herewith, because they are of no general service, being merely for the use of the respective post-offices.

statements and accounts prepared by the General Post Office in Washington, according to forms annexed, marked C and D; and having been examined, compared, and settled by the General Post Office in Belgium, the balance shall be paid without delay by that Department which shall be found indebted to the other. If the balance is in favor of Belgium, it shall be paid in Belgium; and if in favor of the United States, it shall be paid over by Belgium at Washington, or to the General Post Office at London to the credit of the United States, as the Postmaster General of the United States shall elect.

ARTICLE XIX. Letters which, from any cause whatever, cannot be delivered, shall be reciprocally returned at the close of each quarter, after the expiration of a proper period to effect their delivery to the person addressed, and for the same amount of postage originally charged by the sending office, which shall be allowed in discharge of the account of the office to which they were sent. These returns of postage are to be claimed in a bill made up agreeably to forms annexed, marked E and F, which is to accompany such dead letters.

Return of undelivered letters &c.

Newspapers which are refused, or which become dead in the Post Offices of either country, are not to be returned.

Dead newspapers not to be returned.

ARTICLE XX. Letters misdirected or missent, or which may require the prepayment of postage, shall be reciprocally returned without delay through the respective offices of exchange, and credit taken in the letter bill for the same, at the weight and postage originally charged upon them. In respect to letters addressed to persons who have changed their residence, whatever may be their origin, they shall be respectively returned charged with the postage which was to have been paid by the person addressed, less the inland postage of the country from which sent.

Missent letters to be returned, &c.

ARTICLE XXI. The evidence of the prepayment of letters shall be in red ink, on the right hand upper corner of the face of the letter, and all letters, without distinction, shall bear the stamp of the mailing office on their face, and that of the receiving office on their back.

Letters paid and unpaid, how marked, &c.

The evidence of prepayment shall be represented thus: Letters originating in the United States and paid to their destination in Belgium shall be stamped with the word "PAID."

Letters originating in Belgium and paid to their destination in the United States shall be stamped "P: D:." (paid to destination.)

Letters of every other origin, despatched from either country by virtue of the stipulations of Article X., and the prepayment of which is rendered obligatory to a certain point within either country, shall be stamped "P. F." (paid to the frontier.)

The manner in which letters, paid or unpaid, are to be sent or received shall be designated by the exchange offices, on each letter, by means of a stamp bearing the words "Am. Packet" or "Br. Packet," accordingly as they are transported by one or the other, in such manner as that the amount of credit to be allowed to the British Post Office for dead letters returned can be shown.

ARTICLE XXII. The exchange offices of the Post Office of Belgium shall state upon their post bills for the London office the number of single rates for letters, as well as of the weight of newspapers and articles of printed matter contained in each of the mails intended for the United States office; and they shall, in like manner, state, in the receipt bills addressed to the said London office, the number of single rates for letters, as well as the weight of newspapers and articles of printed matter, found in the mails from the United States office intended for Belgium.

Post-bills of Belgium for London office.

ARTICLE XXIII. In the event of a direct line or lines of steamships between the United States and Belgium being established, there shall be a direct exchange of mails by such line of steamers between the respective exchange offices of Antwerp on the one side, and New York and Boston on the other side, of the international correspondence between the

Postage in case direct lines of steamships are established.

United States and Belgium, which shall be subject to the following postage charges, viz :

Postage by direct lines.

Postage on each letter or packet not exceeding half an ounce in weight, fifteen cents ; above half an ounce and not over one ounce, thirty cents ; over one ounce and not exceeding two ounces, sixty cents ; and so on, thirty cents being added for each additional ounce or fraction of an ounce. Payment in advance shall be optional in either country. It shall not, however, be permitted to pay less than the whole rate, and no account shall be taken of the prepayment of any fraction of that rate. The newspapers, as well as the articles of printed matter enumerated in Article XIII. of the present convention, may be in like manner sent by the said direct lines, on condition of prepayment to destination.

The price of prepayment of newspapers, gazettes, and periodical works shall be levied at the rate of fifteen centimes in Belgium, and of three cents in the United States, for each package the weight of which shall not exceed ninety grammes (three ounces). Packages weighing more than ninety grammes shall pay an additional rate for each ninety grammes or fraction of ninety grammes.

The price of prepayment of stitched books, of bound books, pamphlets, papers of music, catalogues, prospectuses, advertisements, and notices of various kinds, printed, engraved, lithographed, or autographed, shall be levied at a rate of fifteen centimes in Belgium, and of three cents in the United States, per thirty grammes, (one ounce,) or fraction of thirty grammes.

The proceeds of the above-mentioned postages shall be divided in the proportion of two-thirds, or two cents, to the profit of the country which shall furnish the packets, and one-third, or one cent, to the profit of the other country.

Postage by direct lines, how to be accounted for.

ARTICLE XXIV. The postage for which the United States and Belgian Post Offices shall reciprocally account to each other upon letters which shall be exchanged by the said direct lines of steamers shall be established, letter by letter, according to the scale of progression established by the preceding article, as follows, viz :

The Belgian Office shall pay to the United States for each unpaid letter weighing half an ounce or less, originating in the United States and destined for Belgium, as well as for each letter of like weight prepaid in Belgium and destined for the United States, the sum of five cents (being the United States inland postage) when the Atlantic sea conveyance is performed by a Belgian mail steamer ; and twelve cents (representing the maritime postage and the territorial postage of the United States) when said sea conveyance is performed by a United States mail steamer. On the other hand, the United States shall pay to the Belgian Office for each unpaid letter weighing half an ounce or less, originating in Belgium, and destined for the United States, as well as for each letter of like weight prepaid in the United States and destined for Belgium, the sum of three cents (being the Belgian inland postage) when the Atlantic sea conveyance is performed by a United States mail steamer ; and the sum of ten cents (representing the maritime postage and the Belgium territorial postage) when the said sea conveyance is performed by a Belgian mail steamer.

Letter bills and acknowledgments of receipt for mails exchanged by means of direct steamers, shall be according to the forms annexed, marked A and B.

Letters from foreign countries.

ARTICLE XXV. On all letters originating and posted in other countries beyond the United States and mailed to and deliverable in Belgium, or originating and posted in countries beyond Belgium and mailed to and deliverable in the United States or its Territories, the foreign postage (other than that of Belgium and other than that of the United States) is to be added to the postage stated in Article XXIII. And the

two Post Office Departments are mutually to furnish each other with lists stating the foreign countries to which the foreign postage, and the amount thereof must be absolutely prepaid, or must be left unpaid, either to their destination or to a determined point. And until such lists are duly furnished, neither country is to mail to the other any letter from foreign countries beyond it, or for foreign countries beyond the country to which the mail is sent.

ARTICLE XXVI. The provisions established by Articles XII., XV., XVI., XVII., XVIII., XIX., XX., and XXI., as well as the last paragraph of Article XIV., so far as they are applicable, shall be made to apply to the correspondence which may be exchanged by any direct line of steamers running between the United States and Belgium.

ARTICLE XXVII. The Post Office Departments of Belgium and of the United States shall have full authority to introduce and put in force by common agreement all modifications in the arrangements of the present convention, both in regard to the proportion of postages to be levied on each side, and relative to all other measures of detail and execution, whenever, by mutual consent, the two governments shall have recognized the utility of such modification.

Post-office departments of each country may modify these agreements.

ARTICLE XXVIII. The present convention shall be put in execution in the two countries one month after the exchange of ratifications, provided that the expenses of transportation over the British territory and across the British channel shall not exceed four cents per single letter, and that this postage shall be the only transit postage to be paid by the contracting parties, under the head of correspondence exchanged in closed mails, by way of England, between Belgium and the United States of America, by the terms of the said convention. This convention shall remain in force until annulled by mutual consent, or by one of the contracting parties after one year's notice given by such party to the other of the intention to annul the same.

Convention, when to be in force.

Proviso.

How long to continue in force.

Made in duplicate original, and signed at Washington, the twenty-first day of December, in the year of our Lord, one thousand eight hundred and fifty-nine.

Signed, Dec. 21, 1859

J. HOLT. [SEAL.]
BLONDEEL VAN CUELEBROECK. [SEAL.]

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington, on the 19th instant by Lewis Cass, Secretary of State of the United States, and Mr. Blondeel Van Cuelebreeck, Envoy Extraordinary and Minister Plenipotentiary of his Majesty the King of the Belgians, on the part of their respective governments.

Exchange of ratifications, Oct. 19, 1860.

Now, therefore, be it known, that I, JAMES BUCHANAN, President of the United States of America, have caused the said convention to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclaimed, October 20, 1860.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at Washington, this twentieth day of October, in the year of our Lord one thousand eight hundred and sixty, and of [SEAL.] the Independence of the United States of America the eighty-fifth.

JAMES BUCHANAN.

By the President:
LEWIS CASS, *Secretary of State.*

Convention between the United States of America and the King of Sweden and Norway. Concluded at Washington, March 21, 1860. Ratifications exchanged at Washington, December 20, 1860. Proclaimed by the President of the United States, December 21, 1860.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: March 21, 1860.

A PROCLAMATION.

WHEREAS a Convention between the United States of America and his Majesty the King of Sweden and Norway, for the surrender of criminals, fugitives from justice, was concluded and signed by their respective plenipotentiaries at Washington, on the twenty-first day of March last, which Convention, being in the English and Swedish languages, is word for word as follows : Preamble.

Convention for the surrender of criminals, fugitives from justice, in certain cases, concluded between the United States and his Majesty the King of Sweden and Norway. Contracting parties.

Whereas, it is found expedient, for the better administration of justice and the prevention of crime within the territories and jurisdiction of the parties respectively, that persons committing certain crimes, being fugitives from justice, should, under certain circumstances, be reciprocally delivered up; and also to enumerate such crimes explicitly; the United States of America on the one part, and his Majesty the King of Sweden and Norway on the other part, having resolved to treat on this subject, have for that purpose appointed their respective plenipotentiaries to negotiate and conclude a convention, that is to say: The President of the United States of America, Lewis Cass, Secretary of State of the United States, and his Majesty the King of Sweden and Norway, Baron Nicholas William de Wetterstedt, Knight of the Orders of the Polar Star and of St. Olaf, Commander of the Order of Dannebrog of Denmark, his said Majesty's Minister Resident near the Government of the United States, who, after reciprocal communication of their respective powers, have agreed to and signed the following articles :

ARTICLE I. It is agreed that the high contracting parties shall, upon mutual requisitions by them, their diplomatic or consular agents, respectively made, deliver up to justice all persons who, being charged with or condemned for any of the crimes enumerated in the following article, committed within the jurisdiction of either party, shall seek an asylum or shall be found within the territories of the other: *Provided*, That this surrender and delivery shall not be obligatory on either of the high contracting parties except upon presentation by the other, in original or in verified copy, of the judicial declaration or sentence establishing the culpability of the fugitive, and issued by the proper authority of the government who claims the surrender, in case such sentence or declaration shall have been pronounced: said document to be drawn up and certified according to the forms prescribed by the laws of the country making the demand. But if such sentence or declaration shall not have been pronounced, then the surrender may be demanded, and shall be made, when the demanding Persons charged with certain crimes to be delivered up.

Proof, &c.

party shall have furnished such proof of culpability as would have been sufficient to justify the apprehension and commitment for trial of the accused if the offence had been committed in the country where he shall have taken refuge.

Crimes.

ARTICLE II. Persons shall be so delivered up who shall have been charged with or sentenced for any of the following crimes, to wit: Murder, (including assassination, parricide, infanticide, and poisoning,) or attempt to commit murder; rape; piracy, (including mutiny on board a ship, whenever the crew or part thereof, by fraud or violence against the commander, have taken possession of the vessel;) arson; robbery and burglary; forgery, and the fabrication or circulation of counterfeit money, whether coin or paper money; embezzlement by public officers, including appropriation of public funds.

Expenses of extradition how to be borne.

ARTICLE III. The expenses of any detention and delivery, effected in virtue of the preceding provisions, shall be borne and defrayed by the party who makes the requisition and receives the fugitive.

This convention not to apply to citizens or subjects, &c.

ARTICLE IV. Neither of the contracting parties shall be bound to deliver up, under the stipulations of this convention, any person who, according to the laws of the country where he shall be found, is a citizen or a subject of the same at the time his surrender is demanded.

Nor to political offences.

ARTICLE V. The provisions of the present convention shall not be applied to any crime or offence of a political character.

Provision in case of new crimes committed, &c.

ARTICLE VI. Whenever any person, accused of any of the crimes enumerated in this convention, shall have committed a new crime in the territories of the State where he has sought an asylum, or shall be found, such person shall not be delivered up under the stipulations of this convention until he shall have been tried, and shall have received the punishment due to such new crime, or shall have been acquitted thereof.

When this convention takes effect.

ARTICLE VII. This convention shall not take effect until ten days after its publication, made according to the laws of the respective governments.

How long to be in force.

It shall remain in force until the end of six months after either of the high contracting parties shall have given notice to the other of its intention to terminate the same.

To be ratified within ten months.

It shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by his Majesty the King of Sweden and Norway, and the ratifications shall be exchanged within ten months from the date of its signature, or earlier if possible.

Signature, March 21, 1860.

In faith whereof, the respective plenipotentiaries have signed this convention, and have hereunto affixed their seals.

Done in duplicate, at Washington, the twenty-first day of March, one thousand eight hundred and sixty, and the eighty-fourth year of the Independence of the United States.

LEWIS CASS. [SEAL.]
N. W. DE WETTERSTEDT. [SEAL.]

Ratifications exchanged, December 20, 1860.

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged in the city of Washington on the twentieth instant, by J. S. Black, Secretary of State of the United States, and Baron N. W. de Wetterstedt, Minister Resident of his Majesty the King of Sweden and Norway in the United States, on the part of their respective governments.

Proclaimed, Dec. 21, 1860.

Now, therefore, be it known, that I, JAMES BUCHANAN, President of the United States of America, have caused the said convention to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the City of Washington, this twenty-first day of December, in the year of our Lord one thousand eight hundred and [SEAL.] sixty, and of the Independence of the United States the eighty-fifth.

JAMES BUCHANAN.

By the President:

J. S. BLACK, *Secretary of State.*

*Treaty between the United States and the Delaware Tribe of Indians.
Concluded May 30, 1860. Ratified and proclaimed August 22, 1860.*

A PROCLAMATION

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING : May 30, 1860.

WHEREAS a treaty was made and concluded at Sarcoxieville, on the Delaware reservation, on the thirtieth day of May, eighteen hundred and sixty, by Thomas B. Sykes, as commissioner on the part of the United States, and the chiefs and headmen of the Delaware tribe of Indians hereinafter mentioned, which treaty is in the following words, to wit :

Preamble.

Articles of agreement and convention made and concluded at Sarcoxieville, on the Delaware reservation, this thirtieth day of May, one thousand eight hundred and sixty, by Thomas B. Sykes, as commissioner on the part of the United States, and the following named chiefs of the Delaware tribe of Indians, viz: John Connor, head chief of the whole tribe; Sar-cox-ie, chief of the Turtle band; Ne-con-he-con, chief of the Wolf band; Rock-a-to-wha, chief of the Turkey band, and assistants to the said head chief, chosen and appointed by the people, and James Connor, chosen by the said chiefs as delegate.

Contracting
parties.

ARTICLE I. By the first article of the treaty made and concluded at the city of Washington, on the sixth day of May, one thousand eight hundred and fifty-four, between George W. Manypenny, commissioner on the part of the United States, and certain delegates of the Delaware tribe of Indians, which treaty was ratified by the Senate of the United States on the eleventh day of July, one thousand eight hundred and fifty-four, there was reserved, as a permanent home for the said tribe, that part of their country lying east and south of a line beginning at a point on the line between the Delawares and Half-breed Kansas, forty miles in a direct line west of the boundary between the Delawares and Wyandottes; thence north ten miles; thence in an easterly course to a point on the south bank of Big Island creek, which shall also be on the bank of the Missouri river, where the usual high-water line of said creek intersects the high-water line of said river. And by the eleventh article of said treaty it was stipulated that "at any time hereafter when the Delawares desire it, and at their request and expense, the President may cause the country reserved for their permanent home, to be surveyed in the same manner as the ceded country is surveyed, and may assign such portion to each person or family as shall be designated by the principal men of the tribe: *Provided*, such assignments shall be uniform."

Provisions of
treaty of May
6th, 1854.

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The Delawares having represented to the government that it is their wish that a portion of the lands reserved for their home may be divided among them in the manner contemplated by the eleventh article of the treaty aforesaid, it is hereby agreed by the parties hereto, that the said reservation shall be surveyed as early as practicable after the ratification of these articles of agreement and convention, in the same manner that the public lands are surveyed; and to each member of the Delaware tribe there shall be assigned a tract of land containing eighty acres, to include in every case, as far as practicable, a reasonable portion of timber, to be selected according to the legal subdivisions of survey.

Reservation to
be surveyed.

Eighty acres to
be assigned to
each member of
the tribe.

Mode of
division.

ARTICLE II. The division and assignment in severalty among the Delawares of the land shall be made in a compact body, under the direction of the Secretary of the Interior, and his decision of all questions arising thereupon shall be final and conclusive.

Certificates to
issue, &c.

Certificates shall be issued by the Commissioner of Indian Affairs, for the tracts assigned in severalty, specifying the names of the individuals to whom they have been assigned respectively, and that the said tracts are set apart for the exclusive use and benefit of the assignees and their heirs. And said tracts shall not be alienable in fee, leased, or otherwise disposed of, except to the United States or to members of the Delaware tribe, and under such rules and regulations as may be prescribed by the Secretary of the Interior; and said tracts shall be exempt from levy, taxation, sale, or forfeiture, until otherwise provided by Congress.

Land not
alienable, except,
&c.

Certificates to
be secured to
family, &c.

Prior to the issue of the certificates aforesaid, the Secretary of the Interior shall make such rules and regulations as he may deem necessary or expedient, respecting the disposition of any of said tracts, in case of the death of the person or persons to whom they may be assigned, so that the same shall be secured to the families of such deceased persons. And should any of the Indians to whom tracts shall be assigned, abandon them, the said Secretary may take such action in relation to the proper disposition thereof, as, in his judgment, may be necessary and proper.

Abandonment
of land assigned.

Improvements.

The improvements of the Indians residing on the lands to be sold shall be valued by the United States, and the individual owners thereof shall receive the amount realized from the sale of the same, to be expended in building other improvements for them on the lands retained.

Leavenworth,
Pawnee, and
Western R. R.
Co. to have a
preference in the
purchase of land
remaining.
See amend-
ment, post, p. 164.

ARTICLE III. The Delaware tribe of Indians, entertaining the belief that the value of their lands will be enhanced by having a railroad passing through their present reservation, and being of the opinion that the Leavenworth, Pawnee, and Western Railroad Company, incorporated by an act of the legislative assembly of Kansas Territory, will have the advantage of travel and general transportation over every other company proposed to be formed, which will run through their lands, have expressed a desire that the said Leavenworth, Pawnee, and Western Railroad Company shall have the preference of purchasing the remainder of their lands after the tracts in severalty and those for the special objects herein named shall have been selected and set apart, upon the payment into the United States treasury, which payment shall be made within six months after the quantity shall have been ascertained, in gold or silver coin, of such a sum as three commissioners, to be appointed by the Secretary of the Interior, shall appraise to be the value of said land: *Provided*, in no event shall the value be placed below the sum of one dollar and twenty-five cents per acre, exclusive of the cost of survey of the same. [And that the United States will issue a patent in fee-simple to said company, upon the payment as aforesaid, for all their land remaining in Kansas.] It is, therefore, agreed by the United States that the wishes of the Delawares shall be granted; that they will accept of the trust reposed upon them; and that the money resulting from such disposition of the lands shall be disposed of and applied in the manner provided for by the seventh and eighth articles of the Delaware treaty of sixth May, one thousand eight hundred and fifty-four, after expending a sufficient sum to enable them to commence agricultural pursuits under favorable circumstances. It is also agreed that the said railroad company shall have the perpetual right of way over any portion of the lands allotted to the Delawares in severalty, on the payment of a just compensation therefor, in money, to the respective parties whose lands are crossed by the line of railroad.

Minimum
price \$1.25 per
acre.

Vol. x. p. 1050.

Railroad com-
pany to have
perpetual right
of way.

Provision for
Delawares who
are absent.

ARTICLE IV. Whereas some years ago a good many of the Delawares went down among the Southern Indians, and as there are still about two hundred of them there, and as they have reason to believe they will return

soon, it is hereby agreed that eighty acres each be set apart for them, to be allotted to them as they return, and certificates to be then issued to them, in the same manner as to those now within the reservation, and in every respect to be governed by the same rules and regulations as prescribed for the government of the lands reserved by the preceding articles, that until they return the allotments set apart for belong to the nation in common.

ARTICLE V. There shall be reserved three hundred and twenty acres of ground where the mill, and school-house, and Ketchum's store now stand; three hundred and twenty acres where the council-house now is; one hundred and sixty acres where the Baptist mission now is; one hundred and sixty acres where the agency house now is; forty acres where the Methodist Episcopal Church South now is; forty acres where the Methodist Episcopal Church North now is; which several tracts, with the improvements thereupon, shall be disposed of when the objects for which they have been reserved shall have been accomplished, in such manner and for such purposes as the Secretary of the Interior shall determine to be just and equitable, for the benefit of the Delawares.

Reservations.

When to be disposed of.

ARTICLE VI. By article fourteen of the treaty between the Delawares and the United States, of May six, eighteen hundred and fifty-four, ratified by the Senate July eleven, eighteen hundred and fifty-four, the United States bound herself to protect them and their rights; and that whereas, that depredations of various kinds have been committed upon them and their lands, it is hereby agreed that the United States shall pay them, within twelve months from the ratification of these articles of treaty and convention, thirty thousand dollars as indemnity for timber that has been cut off their reservation by the whites, and nine thousand five hundred dollars as indemnity for ponies and cattle that have been stolen from them by the whites since their last treaty with the United States. It is further stipulated that should the Senate of the United States refuse this article, it shall in no wise affect the validity of the other articles, or prejudice the right of the Delawares to appeal to the Congress of the United States for the indemnities hereby agreed upon.

Vol. x. p. 1051.

United States to pay for certain depredations upon Indians.

Proviso.

It is further understood that, at the treaty between the Delawares and the United States, made September twenty-four, eighteen hundred and twenty-nine, the boundary of the reservation then set apart for them included the Half-breed Kansas lands; but it afterwards proved that the United States had previously set apart these lands for the Half-breed Kaws, and by that means they have been kept out of the use and benefit of said lands; it is, therefore, hereby agreed that a fair valuation shall be made by the United States upon such lands, under the direction of the Secretary of the Interior, and that the amount of said valuation shall be paid the Delawares.

Provisions of treaty of Sept. 24, 1829. Vol. vii. p. 327.

United States to pay for certain lands.

ARTICLE VII. In consideration of the long and faithful services of the chiefs of the Delaware nation, and of their interpreter, who is also a member of the nation, it is further agreed that the said chiefs and interpreter shall have allotted to each a tract of land, to be selected by themselves, and shall receive a patent in fee-simple therefor from the President of the United States, viz: John Connor, principal chief, six hundred and forty acres; Sar-cox-ie, chief of the Turtle band, three hundred and twenty acres; Rock-a-to-wha, chief of the Turkey band, three hundred and twenty acres; Ne-con-he-con, chief of the Wolf band, three hundred and twenty acres; and Henry Tiblow, interpreter, three hundred and twenty acres; the lines of each tract to conform to the legal subdivisions of survey. It is further agreed that, from the money as paid the Delaware tribe of Indians, in accordance with article number ten of this treaty, the chiefs of said tribe of Indians shall appropriate one thousand five hundred dollars as the annual salary of the councilmen of the said tribe of Indians.

The chiefs and interpreter each to have a tract of land.

John Connor, Sar-cox-ie, Rock-a-to-wha, Ne-con-he-con, Henry Tiblow.

Annual salary of councilmen.

Inconsistent stipulations invalid.

Expenses hereof to be borne by the Indians.

Interest to be paid April 1st and Oct. 1st.

Signature.

ARTICLE VIII. Any stipulation in former treaties inconsistent with those embraced in the foregoing articles shall be of no force or effect.

ARTICLE IX. As these articles are entered into for the sole use and benefit of the Delaware Indians, it is understood that the expenses incident to carrying them into effect shall be defrayed from the funds of said Indians, held in trust for them by the United States.

ARTICLE X. The interest accruing to the Delawares under the former treaties, and that which may accrue under this, shall be paid on the first of April and October in each year.

In testimony whereof, the said Thomas B. Sykes, commissioner as aforesaid, and the said delegates of the Delaware tribe of Indians, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

THOMAS B. SYKES, <i>Commissioner,</i>		[SEAL.]
JOHN CONNOR, <i>Head Chief,</i>	his x mark.	[SEAL.]
SAR-COX-IE, or The Highest, <i>Assistant Chief,</i>		
	his x mark.	[SEAL.]
NE-CON-HE-CON, or Bounding Ahead, <i>Assistant Chief,</i>		
	his x mark.	[SEAL.]
ROCK-A-TO-WHA, or Sun Rise, <i>Assistant Chief,</i>		
	his x mark.	[SEAL.]
JAMES CONNOR, or Ah-la-a-chick,	his x mark.	[SEAL.]

Signed in the presence of —

HENRY TIBLOW, *United States Interpreter,*
 JAMES FINDLAY,
 WILLIAM G. BRADSHAW,
 SAMUEL PRIESTLEY,
 THOMAS S. GLADDING.

Ratification, June 27, 1860.

And, whereas, the said treaty having been submitted to the Senate of the United States, for its constitutional action thereon, the Senate did, on the twenty-seventh of June, one thousand eight hundred and sixty, advise and consent to the ratification of the same, by a resolution and with an amendment in the words and figures following, to wit :

“ IN EXECUTIVE SESSION,
 “ SENATE OF THE UNITED STATES, June 27, 1860.

“ *Resolved,* (two-thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the ‘articles of agreement and convention made and concluded at Sarcoxieville the thirtieth day of May, eighteen hundred and sixty, by Thomas B. Sykes, commissioner on the part of the United States, and certain chiefs of the Delaware tribe of Indians, with the following amendment :

Amendment to Article III, ante, p. 162.

Conditions upon which patents shall issue to the railroad.

At the end of article third, add : It being the intent and meaning of the Delawares, in consenting to the sale of their surplus lands to said company, that they should, in good faith, and within a reasonable time, construct a railroad through their reservation, and to carry out this intent as well as to secure so great a public convenience, it is agreed that no patent shall issue for any of these lands, nor shall the sale be binding upon the Delaware Indians or the United States, until the Secretary of the Interior shall be fully satisfied that a line of twenty-five miles of the road from Leavenworth City shall have been completed and equipped, when a patent shall issue for one-half of the ascertained quantity. The patent for the residue shall issue only when the said Secretary shall be satisfied that the road has been, in like manner, completed and equipped to the western

boundary of the Delaware reservation. And if the said company shall fail or neglect to construct either the first or second sections of the road, or having constructed the first section and fail to complete the second section within a reasonable time, they shall forfeit to the United States all right to the lands not previously patented, and the certificate of purchase shall be deemed and considered cancelled. *And provided further*, That in case the said company shall fail to make payment for the lands or fail to construct the road, as hereinbefore stipulated, within a reasonable time, the surplus lands shall be disposed of by the Secretary of the Interior, at public auction, in quantities not exceeding one hundred and sixty acres; but, in no case for a sum less than the appraised value, the net proceeds to be applied in the same manner as hereinbefore specified: *And provided further*, That the said railroad company shall, finally, and in good faith, sell and dispose of all said lands within seven years after receiving the patent therefor, except what may be necessary for railroad purposes; and in default thereof so much thereof as may remain undisposed of shall revert to the Delaware nation, to be disposed of as is herein provided for other forfeited lands.

In case of failure, &c. surplus lands to be disposed of.

Railroad to sell lands within seven years.

"Attest:

ASBURY DICKINS, *Secretary.*"

And whereas the foregoing amendment having been fully interpreted and explained to the chiefs and headmen of the Delaware tribe aforesaid, they did thereunto, on the twenty-first day of July, one thousand eight hundred and sixty, give their free and voluntary assent in the words and figures following, to wit:

Amendment assented to.

We the undersigned chiefs, councillors, and headmen of the tribe of Delaware Indians on behalf of said tribe, now in full council assembled, having had fully explained to us the amendment made on the 27th day of June last, by the Senate of the United States, to the treaty made and concluded on the 30th of May last, at Sarcoxieville, on the Delaware reservation, by Thomas B. Sykes, commissioner on the part of the United States, and the following named chiefs of the Delaware tribe of Indians, viz: John Connor, head chief of the whole tribe; Sar-cox-ie, chief of the Turtle band; Rock-a-to-wha, chief of the Turkey band, and assistant to the said head chief, chosen and appointed by the people; and James Connor, chosen by the said chiefs as delegate, which amendment is in the following words, viz:

AMENDMENT.

At the end of article third add: It being the intent and meaning of the Delawares, in consenting to the sale of their surplus lands to said company, that they should, in good faith, and within a reasonable time, construct a railroad through their reservation, and to carry out this intent, as well as to secure so great a public convenience, it is agreed that no patent shall issue for any of these lands, nor shall the sale be binding upon the Delaware Indians nor the United States until the Secretary of the Interior shall be fully satisfied that a line of twenty-five miles of the road from Leavenworth City shall have been completed and equipped, when a patent shall issue for one-half of the ascertained quantity. The patent for the residue to issue only when the said Secretary shall be satisfied that the road has been in like manner completed and equipped to the western boundary of the Delaware reservation. And if the said company shall fail or neglect to construct either the first or second sections of the road, or having constructed the first section and fail to complete the second section within a reasonable time, they shall forfeit to the United States all right to the lands not previously patented, and the certificate of purchase shall be deemed and considered cancelled. *And provided further*, That in case the said company shall fail to make payment for the lands, or fail to construct the road, as hereinbefore stipulated, within a reasonable time,

the surplus lands shall be disposed of by the Secretary of the Interior at public auction, in quantities not exceeding one hundred and sixty acres; but in no case for a sum less than the appraised value, the net proceeds to be applied in the same manner as hereinbefore specified. *And provided further*, That the said railroad company shall finally and in good faith sell and dispose of all said lands within seven years after receiving the patent therefor, except what may be necessary for railroad purposes; and in default thereof, so much thereof as may remain undisposed of shall revert to the Delaware nation, to be disposed of as is herein provided for other forfeited lands.

Do hereby accept and consent to the said amendments to the articles of agreements and convention aforesaid, and agree that the same shall be considered as a part thereof.

Signatures,
July 21, 1860.

In testimony whereof, we have hereunto set our hands and affixed our seals, this twenty-first day of July, Anno Domini 1860.

JOHN CONNOR, <i>Head Chief</i> ,	his x mark.	[SEAL.]
SAR-COX-IE, <i>Chief of Turtle band</i> ,	his x mark.	[SEAL.]
NE-CON-HE-CON, <i>Chief of Wolf band</i> ,	his x mark.	[SEAL.]
ROCK-A-TO-WHA, <i>Chief of Turkey band</i> ,	his x mark.	[SEAL.]
JAMES CONNOR, <i>Delegate</i> ,	his x mark.	[SEAL.]

Witness :—

HENRY TIBLOW, *United States Interpreter*,
THOS. S. GLADDING,
SAMUEL PRIESTLEY,
WM. G. BRADSHAW.

I do hereby certify that the foregoing instrument of writing was fully explained by me to the Delaware tribe of Indians in council assembled in the day and year last above written, and that they did accept and consent to the said foregoing instrument of writing, and subscribed their names and affixed their seals thereto in my presence.

Given under my hand this twenty-first day of July, one thousand eight hundred and sixty.

THOS. B. SYKES, *U. S. Agent for the Delawares*.

Ratified and
proclaimed,
Aug. 22, 1860.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the twenty-seventh of June, eighteen hundred and sixty, accept, ratify and confirm said treaty with the amendment as aforesaid.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, having signed the same with my hand.

Done at the city of Washington, this twenty-second day of August, in the year of our Lord one thousand eight hundred [L. s.] and sixty, and of the Independence of the United States the eighty-fifth.

JAMES BUCHANAN.

By the President :

WM. HENRY TRECOT, *Acting Secretary of State*.

Convention between the United States of America and the Republic of Costa Rica, for the adjustment of claims. Signed at San José, July 2, 1860. Ratified by the President of the United States, November 9, 1861. Exchange of ratifications, November 9, 1861. Proclaimed by the President of the United States, November 11, 1861.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: July 2, 1860.

Ante, pp. 145, 615.

A PROCLAMATION.

WHEREAS a convention for the adjustment of claims of citizens of the United States against the Republic of Costa Rica was concluded between the United States of America and that Republic, and was signed by their respective Plenipotentiaries at San José on the second day of July, one thousand eight hundred and sixty, which convention, being in the English and Spanish languages, is, word for word, as follows :

Preamble.

Convention for the adjustment of claims of citizens of the United States against the Government of the Republic of Costa Rica.

Convencion para el arreglo de reclamaciones de ciudadanos de los Estados Unidos de América, contra el Gobierno de la República de Costa Rica.

The United States of America and the Republic of Costa Rica, desiring to adjust the claims of citizens of said States, against Costa Rica, in such a manner as to cement the good understanding and friendly relations now happily subsisting between the two Republics, have resolved to settle such claims by means of a convention ; and, for that purpose, appointed and conferred full powers, respectively, to wit :

La República de Costa Rica y los Estados Unidos de América, deseando terminar los reclamos de ciudadanos de los dichos Estados contra Costa Rica, de un modo que cimente la buena inteligencia y amistosas relaciones que felizmente existen entre las dos naciones, han resuelto arreglar tales reclamos por medio de una convencion ; y con este objeto, han nombrado y conferido amplios poderes, respectivamente :

The President of the United States, on Alexander Dimitry, Minister Resident of said United States, in the Republic of Costa Rica, and his Excellency the Constitutional President of said Republic of Costa Rica on Manuel José Carazo and Francisco Maria Yglesias, who, upon an exchange of their plenary powers, which were found in good and proper form, have agreed to the following articles :

El Presidente Constitucional de la República de Costa Rica, á los Señores Don Manuel José Carazo, y Don Francisco Maria Yglesias, y el Presidente de los Estados Unidos, al Señor Don Alejandro Dimitry, Ministro Residente de dichos Estados Unidos, en la dicha República de Costa Rica, quienes, despues de haber cangeado sus plenos poderes, los cuales se encontraron en buena y debida forma, han convenido en los artículos siguientes :

Contracting parties.

ARTICLE I.

ARTICULO I.º.

It is agreed that all claims of citizens of the United States, upon the Government of Costa Rica, arising

Se ha convenido en que todos los reclamos de ciudadanos de los Estados Unidos contra el Gobierno de

Claims of citizens of the United States to be referred to board

of commissioner.

from injuries to their persons, or damages to their property, under any form whatsoever, through the action of authorities of the Republic of Costa Rica, statements of which, soliciting the interposition of the Government of the United States, have been presented to the Department of State, at Washington, or to the diplomatic agents of said United States at San José, of Costa Rica, up to the date of the signature of this convention, shall, together with the documents in proof, on which they may be founded, be referred to a board of commissioners, consisting of two members, who shall be appointed in the following manner: One by the government of the United States of America, and one by the Government of the Republic of Costa Rica: *Provided, however,* that no claim of any citizen of the United States, who may be proved to have been a belligerent during the occupation of Nicaragua by the troops of Costa Rica, or the exercise of authority, by the latter, within the territory of the former, shall be considered as one proper for the action of the board of commissioners herein provided for.

Board how appointed.

Certain claims cannot be considered.

Vacancies in commission how filled.

In case of the death, absence, or incapacity, of either commissioner, or in the event of either commissioner's omitting, or ceasing to act, the Government of the United States of America, or that of the Republic of Costa Rica, respectively, or the Minister of the latter, in the United States, acting by its direction, shall forthwith proceed to fill the vacancy thus occasioned.

ARTICLE II.

Commissioners to meet at Washington in ninety days,

to take oath.

The commissioners so named shall meet at the city of Washington, within ninety days from the exchange of the ratifications of this convention; and, before proceeding to business, they shall, each of them, exhibit a solemn oath, made and subscribed before a competent authority, that they will carefully examine into, and impartially decide,

Costa Rica, provenientes de injurias á sus personas ó de perjuicios á su propiedad, bajo cualquiera forma que sea, por medio de la accion de las autoridades de la República de Costa Rica, cuyas exposiciones, solicitando la interposicion del Gobierno de los Estados Unidos, se han presentado al Departamento de Estado en Washington, ó á los agentes diplomáticos de dichos Estados Unidos en San José de Costa Rica, hasta la fecha en que se firmó esta convencion, serán sometidos junto con los documentos comprobantes en que puedan estar fundados, á una junta de comisionados, compuesta de dos miembros, los cuales serán nombrados del modo siguiente: Uno por el Gobierno de la República de Costa Rica, y otro por el Gobierno de los Estados Unidos de América; bien entendido que ningun reclamo de cualquiera ciudadano de los Estados Unidos, á quien se le haya probado haber sido uno de los belligerantes, durante la ocupacion de Nicaragua por las tropas de Costa Rica, ó durante el ejercicio de autoridad de esta dentro el territorio de aquella, se considerará ser de los que corresponden á la accion de la junta de comisionados que aquí se ha creado.

En caso de muerte, ausencia ó incapacidad de cualquiera de los comisionados, ó en el evento de que alguno de los comisionados falte ó cese de obrar, el Gobierno de la República de Costa Rica, ó el de los Estados Unidos, respectivamente, ó el Ministro del primero en los Estados Unidos, debidamente autorizado por su Gobierno, procederá inmediatamente á llenar la vacante así ocasionada.

ARTICULO 2º.

Los comisionados nombrados de esta manera, se reunirán en la ciudad de Washington, dentro noventa dias desde el cange de las ratificaciones de esta convencion; y ántes de ocuparse de su encargo, prestarán cada uno de ellos juramento solemne, hecho y suscrito ante una autoridad competente, de examinar cuidadosamente y decidir con im-

according to the principles of justice and of equity, and to the stipulations of treaty, upon all the claims laid before them, under the provisions of this convention, by the Government of the United States, and in accordance with such evidence as shall be submitted to them on the part of said United States and of the Republic of Costa Rica, respectively. And their oath, to such effect, shall be entered upon the record of their proceedings.

Said commissioners shall then proceed to name an arbitrator, or umpire, to decide upon any case or cases, concerning which they may disagree, or upon any point or points of difference which may arise in the course of their proceedings. And if they cannot agree in the selection, the arbitrator, or umpire, shall be appointed by the Minister of his Majesty the King of the Belgians, to the United States, whom the two high contracting parties shall invite to make such appointment, and whose selection shall be conclusive on both parties.

ARTICLE III.

The arbitrator, or umpire, being appointed, the commissioners shall, without delay, proceed to examine and determine the claims which may be presented to them, under the provisions of this convention, by the Government of the United States, as stated in the preceding article; and they shall hear, if required, one person in behalf of each Government, on every separate claim.

Each Government shall furnish, upon request of either of the commissioners, such papers in its possession as may be deemed important to the just determination of any claims of citizens of the United States, referred to the board, under the provisions of the first article.

In cases, whether touching injuries to the person, limb, or life of any said citizens, or damages committed, as stipulated, in the first

parcialidad, segun los principios de justicia y equidad, y las estipulaciones del tratado, todos los reclamos que se les hayan presentado, segun lo dispuesto por esta convencion, por el Gobierno de los Estados Unidos, y en conformidad con las pruebas que se les sometan de parte de la República de Costa Rica y de los Estados Unidos, respectivamente. Y sus juramentos para tales efectos serán insertados en los registros de sus actas.

Dichos comisionados procederán, en seguidas, á nombrar un arbitrador, ó tercero en discordia, que decida sobre cualquier caso ó casos, respecto á los cuales ellos puedan haber disentido, ó sobre algun punto ó puntos de diferencia que puedan surgir en el curso de sus procedimientos. Si ellos no pudieren convenirse en la eleccion, este arbitrador, ó tercero en discordia, será nombrado por el Ministro de S. M. el Rey de los Belgas en los Estados Unidos, á quien las dos altas partes contratantes invitarán para hacer tal nombramiento, y cuya eleccion será decisiva para ambas partes.

ARTICULO IIIº.

Despues de nombrado el arbitrador, ó tercero en discordia, los comisionados procederán, sin dilacion, á examinar y determinar los reclamos que se les hayan presentado, segun lo dispuesto en esta convencion, por el Gobierno de los Estados Unidos, y en conformidad con el artículo precedente; y ellos oirán, si así se exigiere, á una persona de parte de cada Gobierno en cada reclamo separado.

Cada Gobierno suministrará, cuando lo exija alguno de los comisionados, todos aquellos papeles que tenga en su poder y puedan juzgarse importantes para la justa determinacion de alguno de los reclamos de ciudadanos de los Estados Unidos, sometidos á la junta de comisionados, conforme á lo dispuesto en el artículo primero.

En casos referentes á daños á la persona, miembro ó vida de alguno de dichos ciudadanos, ó á perjuicios causados, segun se ha estipulado en

Oath to be recorded.

Commissioners to name an umpire.

If they do not agree, who to make the appointment.

Mode of procedure of commissioners.

Each government, upon request, to furnish papers in regard to claims.

Amount of indemnity, how to be ascertained.

article, against their property, in which the commissioners may agree to award an indemnity, they shall determine the amount to be paid. In cases in which said commissioners cannot agree, the points of difference shall be referred to the arbitrator, or umpire, before whom each of the commissioners may be heard, and his decision shall be final.

ARTICLE IV.

The commissioners shall issue certificates of the sums to be paid to the claimants, respectively, whether by virtue of the awards agreed to between themselves, or of those made by them, in pursuance of decisions of the arbitrator, or umpire; and the aggregate amount of said sums, decreed by the certificates of award made by the commissioners, in either manner above indicated, and of the sums also accruing from such certificates of award as the arbitrator, or umpire, may, under the authority hereinafter conferred by the seventh article, have made and issued, with the rate of interest stipulated in the present article, in favor of any claimant, or claimants, shall be paid to the Government of the United States, in the city of Washington, in equal semi-annual instalments. It is, however, hereby agreed, by the contracting parties, that the payment of the first instalment shall be made eight months from the termination of the labors of the commission; and, after such first payment, the second, and each succeeding one, shall be made semi-annually, counting from the date of the first payment; and the whole payment of such aggregate amount, or amounts, shall be perfected within the term of ten years from the termination of said commission; and each of said sums shall bear interest (also payable semi-annually) at the rate of six per cent. per annum, from the day on which the awards, respectively, will have been decreed.

When first instalment to be paid.

Subsequent instalments.

Interest.

Provision by Costa Rica to meet payments.

To meet these payments, the government of the Republic of Costa

el artículo primero, contra su propiedad, por los cuales los comisionados acuerden alguna indemnizacion, ellos determinarán la suma que debe pagarse. En los casos en que dichos comisionados no puedan convenir, los puntos de diferencia serán sometidos al arbitrador ó tercero en discordia, ante quien cada uno de los comisionados puede ser oido, y la decision de esta será final.

ARTICULO IV^o.

Los comisionados expedirán certificados de las sumas que han de pagarse á los reclamantes, respectivamente, ya sea en virtud de sus fallos convenidos entre ellos mismos, ó de aquellos que hayan dado á consecuencia de las decisiones del arbitrador, ó tercero en discordia; y el agregado total de dichas sumas, determinadas por los certificados de fallos dados por los comisionados, de cualquiera manera como ántes se ha indicado, y el de las sumas que resulten tambien de los certificados de fallos, que el arbitrador, ó tercero en discordia, haya dado en virtud del poder que se le confiere en el artículo séptimo, y expedidos con el interés estipulado en este artículo, en favor de cada reclamante ó reclamantes, se pagará al Gobierno de los Estados Unidos, en la ciudad de Washington, por semestres, en plazos iguales. Sin embargo, se conviene, por la presente, entre las partes contratantes, que el pago del primer plazo se verificará ocho meses despues de haber terminado sus trabajos la comision; y despues de haberse verificado de este modo el primer pago, el segundo y los siguientes se harán cada seis meses, contándose desde la fecha del primer pago; y la total cancelacion de la suma general se verificará dentro el término de diez años contados desde que terminó la dicha comision, y cada una de dichas sumas reconocerán un interés (tambien pagadero por semestres) á razon de seis por ciento por año desde el dia en que los fallos respectivamente hayan sido pronunciados.

Para hacer frente á estos pagos, el Gobierno de la República de

Rica hereby specially appropriates fifty per cent. of the net proceeds of the revenues, arising from the customs of the said Republic; but if such appropriation should prove insufficient to make the payments as above stipulated, the Government of said Republic binds itself to provide other means for that purpose.

ARTICLE V.

The commission herein provided shall terminate its labors in nine months from and including the day of its organization. They shall keep an accurate record of all their proceedings, and they may appoint a secretary, versed in the knowledge of the English and of the Spanish languages, to assist in the transaction of their business. And, for the conduct of such business, they are hereby authorized to make all necessary and lawful rules.

ARTICLE VI.

The proceedings of this commission shall be final and conclusive, with respect to all the claims of citizens of the United States, which, having accrued prior to the date of this convention, may be brought before it for adjustment; and the United States agree forever to release the Government of the Republic of Costa Rica from any farther accountability for claims which shall be rejected, either by the board of commissioners, or by the arbitrator, or umpire aforesaid; or for such as, being allowed by either the board or the umpire, the Government of Costa Rica shall have provided for and satisfied in the manner agreed upon in the fourth article.

ARTICLE VII.

In the event, however, that upon the termination of the labors of said commission stipulated for in the fifth article of this convention, any case or cases should be pending before the umpire, and awaiting his decision, it is hereby understood and

Costa Rica, afecta especialmente el cincuenta por ciento del producto neto de la renta de aduanas de la República; pero si este recurso no fuere suficiente para hacer los pagos, segun se ha estipulado, el Gobierno de dicha República se obliga á proveer de otros medios para este objeto.

ARTICULO Vº.

La comision aquí establecida terminará sus trabajos en nueve meses, desde el dia de su organizacion, inclusive. Llevará un registro cuidadoso de todos sus actos, y tiene la facultad de nombrar un secretario versado en el conocimiento de las lenguas Española é Inglesa, para que la auxilie en el despacho de sus negocios; y para la expedicion de tales asuntos ella está, por la presente, autorizada para darse el reglamento legal que es necesario.

Commission, when to end.

Record.

Secretary.

Rules.

ARTICULO VIº.

Los actos de esta comision serán decisivos y finales con respecto á todos los reclamos de los ciudadanos de los Estados Unidos que, habiendo provenido ántes de la fecha de esta convencion, puedan ser presentados ante ella para su arreglo; y los Estados Unidos convienen en eximir para siempre al Gobierno de la República de Costa Rica, de cualquiera otra responsabilidad por reclamos, que serán rechazados, ya sea por la junta de comisionados, ó ya por el referido arbitrador ó tercero en discordia, ó por aquellos que, fallados por la junta de comisionados, ó por el arbitrador, el Gobierno de Costa Rica, proveyendo de los recursos necesarios, como queda estipulado en el artículo cuarto, satisfará de la manera convenida en dicho artículo.

Proceedings of commission to be conclusive as to certain claims.

Costa Rica released.

ARTICULO VIIº.

En el caso de que al concluirse los trabajos de la referida comision, en el término señalado por el artículo quinto, algun negocio ó negocios quedáren pendientes ante el tercero en discordia, esperando su decision, queda aquí convenido y

Provision for cases pending before umpire at the termination of the commission.

agreed by the two contracting parties that, though the board of commissioners may, by such limitation, have terminated their action, said umpire is hereby authorized and empowered to proceed to make his decision or award in such case or cases pending as aforesaid; and, upon his certificate thereof, in each case, transmitted to each of the two Governments, mentioning the amount of indemnity, if such shall have been allowed by him, together with the rate of interest specified by the fourth article, such decision or award shall be taken and held to be binding and conclusive, and it shall work the same effect as though it had been made by both the commissioners under their own agreement, or by them upon decision of the case or of the cases, respectively, pronounced by the umpire of said board, during the period prescribed for its sessions: *Provided, however,* That a decision on every case that may be pending at the termination of the labors of the board shall be given by the umpire within sixty days from their final adjournment; and that at the expiration of the said sixty days the authority and power hereby granted to said umpire shall cease.

Umpire to decide in sixty days.

ARTICLE VIII.

Pay of commissioners, of umpire, incidental expenses, &c.

Each government shall pay its own commissioner; but the umpire, as well as the incidental expenses of the commission, including the defrayal of the services of a secretary, who may be appointed under the fifth article, shall be paid one half by the United States, and the other half by the Republic of Costa Rica.

ARTICLE IX.

Convention, how and when to be approved, &c.

The present convention shall be approved and ratified by the President of the United States of America, by and with the advice and consent of the Senate of the said States; and by the President of the Republic of Costa Rica, with the

entendido por las partes contratantes, que aunque la junta de comisionados por tal limitacion haya terminado su accion, el dicho tercero en discordia queda por la presente autorizado con poder bastante para proceder á dar su decision ó fallo en el caso ó casos pendientes como se ha dicho ántes; y en virtud de su certificado en cada caso, transmitido á cada uno de los dos Gobiernos, mencionando la suma que debe indemnizarse, si así se ha admitido por él, junto con el interés especificado por el artículo cuarto, tal decision ó fallo se tendrá por final y obligatorio, y producirá los mismos efectos como si hubiera sido dado por ambos comisionados por convenio de ellos, ó por ellos mediante una decision del caso ó de los casos, respectivamente, pronunciada por el tercero en discordia de dicha junta, durante el periodo señalado para sus sesiones. Bien entendido, sin embargo, que una decision en cada uno de los casos que puedan estar pendientes á la terminacion de los trabajos de la junta de comisionados, deberá darse por el tercero en discordia dentro el término de sesenta dias desde su final suspension; y que á la espiracion de los dichos sesenta dias cesarán el poder y la autoridad que por la presente se otorgan al dicho tercero en discordia.

ARTICULO VIIIº.

Cada gobierno pagará á su comisionado; pero el arbitrador, lo mismo que los gastos ocasionados por la comision, inclusive el del pago de los servicios de un secretario, que podrá ser nombrado segun el artículo quinto, serán pagados mitad por la República de Costa Rica, y mitad por los Estados Unidos.

ARTICULO IXº.

La presente convencion será aprobada y ratificada por el Presidente de la República de Costa Rica, con el consentimiento y la aprobacion del Supremo Poder Legislativo de dicha República; y por el Presidente de los Estados Unidos de

consent and approbation of the Supreme Legislative Power of said Republic; and the ratifications shall be exchanged in the city of Washington, within the space of eight months from the date of the signature hereof, or sooner if possible.

In faith whereof, and by virtue of our respective full powers, we, the undersigned, have signed the present convention, in duplicate, and have hereunto affixed our seals.

Done at the city of San José, on the second day of July, in the year one thousand eight hundred and sixty, and in the eighty-fourth year of the independence of the United States of America, and of the independence of Costa Rica the thirty-ninth.

ALEX'R DIMITRY, [L. s.]
 MANUEL J. CARAZO, [L. s.]
 FRAN'CO M. YGLESIAS, [L. s.]

América, con la anuencia y el consentimiento del Senado de los dichos Estados; y las ratificaciones serán cangeadas en la ciudad de Washington, en el término de ocho meses, contados desde la fecha en que fuere firmada, ó ántes si fuere posible.

En fé de lo cual, y en virtud de nuestros respectivos plenos poderes, nosotros, los infraescritos, hemos firmado por duplicado la presente convencion, y la hemos sellado con nuestros respectivos sellos.

Fecha en la ciudad de San José, á los dias del mes de Julio del año de mil ochocientos sesenta, trigésimonono de la independencia de Costa Rica, y de la independencia de los Estados Unidos de América el octogésimo cuarto.

MANUEL J. CARAZO, [L. s.]
 FRAN'CO M. YGLESIAS, [L. s.]
 ALEX'R DIMITRY, [L. s.]

Signature.

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington on the 9th instant, the time specified for that purpose by the ninth article having been extended by the contracting parties:

Ratifications.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, have caused the said convention to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this eleventh day of November, in the year of our Lord one thousand eight hundred and sixty-one, and of the independence of the United States the eighty-sixth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Republic of Venezuela. August 27, 1860. Amity, Commerce, Navigation, and surrender of Fugitives. Concluded at Caracas, August 27, 1860. Ratified by the President of the United States, February 26, 1861. Exchange of Ratifications, August 9, 1861. Proclaimed by the President of the United States, Sept. 25, 1861.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA :

A PROCLAMATION.

WHEREAS a Treaty of Amity, Commerce, and Navigation, and for the surrender of fugitive criminals, between the United States of America and the Republic of Venezuela, was concluded and signed at Caracas, on the twenty-seventh day of August, one thousand eight hundred and sixty, which Treaty being in the English and Spanish languages, is word for word as follows :

The United States of America and the Republic of Venezuela, equally animated with the desire of maintaining the cordial relations, and of tightening, if possible, the bonds of friendship between the two countries, as well as to augment by all the means at their disposal, the commercial intercourse of their respective citizens, have mutually resolved to conclude a general convention of amity, commerce and navigation, and for the surrender of fugitive criminals. For this purpose, they have appointed as their plenipotentiaries, to wit: the President of the United States, Edward A. Turpin, Minister Resident near the Government of Venezuela; and the President of Venezuela, Pedro de Las Casas, Secretary of State in the Department of Foreign Relations, who, after a communication of their respective full powers, have agreed to the following articles :

ARTICLE I.

It is the intention of the high contracting parties that there shall continue to be a firm, inviolable, and universal peace, and a true and sincere friendship between the Republics of the United States of America and Venezuela, and between their respective countries, territories, cit-

La República de Venezuela y los Estados Unidos de América, igualmente animados del deseo de mantener las cordiales relaciones que existen entre ambos países, de estrechar, si es posible, sus lazos de amistad, y de aumentar por todos los medios que están á su alcance las relaciones comerciales de sus respectivos ciudadanos, mutuamente han resuelto celebrar un convenio general de amistad, comercio y navegación, y de entrega de reos prófugos. Con este fin han nombrado por sus plenipotenciarios á saber: el Presidente de Venezuela, á Pedro de Las Casas, Secretario de Estado en el Despacho de Relaciones Exteriores; y el Presidente de los Estados Unidos, á Eduardo A. Turpin, Ministro Residente cerca del Gobierno de Venezuela, los cuales, despues de haberse comunicado sus respectivos plenos poderes, han convenido en los artículos siguientes :

ARTICULO I.

Quiéren las altas partes contratantes que continue habiendo paz firme, inviolable y universal, y amistad verdadera y sincera entre las Repúblicas de Venezuela y los Estados Unidos de América, y entre sus respectivos países, territorios, ciudades, villas y poblaciones sin

ies, towns, and people, without exception of persons or places. If, unfortunately, the two nations should become involved in war, one with the other, the term of six months after the declaration thereof shall be allowed to the merchants and other citizens and inhabitants respectively, on each side, during which time they shall be at liberty to withdraw themselves, with their effects and movables; which they shall have the right to carry away, send away, or sell, as they please, without the least obstruction; nor shall their effects, much less their persons, be seized during such term of six months; on the contrary, passports shall be valid for a term necessary for their return, and shall be given to them for their vessels and the effects which they may wish to carry with them or send away, and such passports shall be a safe conduct against the insults and captures, which privateers may attempt against their persons and effects, and the money, debts, shares in the public funds, or in banks, or any other property, personal or real, belonging to the citizens of the one party in the territories of the other shall not be confiscated or sequestrated.

In case of war.

Passports.

ARTICLE II.

The citizens of each of the high contracting parties, residing or established in the territory of the other, shall be exempt from all compulsory military service by sea or by land, and from all forced loans or military exactions or requisitions; nor shall they be compelled to pay any contributions whatever higher or other than those that are or may be paid by native citizens.

ARTICLE III.

The citizens of the contracting parties shall be permitted to enter, sojourn, settle, and reside in all parts of said territories, and such as may wish to engage in business shall have the right to hire and occupy warehouses, provided they submit to the laws, as well general

Exemption from compulsory military service, loans, &c.

Right to reside, transact business, &c.

excepcion de personas, ni lugares. Si, desgraciadamente, ambas naciones se vieren envueltas en guerra, una contra otra, se concederá el término de seis meses despues de la declaración de ella á los comerciantes y otros ciudadanos y habitantes respectivamente, por cada parte, para que en ese tiempo tengan libertad de retirarse con sus efectos y muebles; que tendrán derecho de llevarse, enviar fuera, ó vender, como les plazca, sin el menor impedimento; durante dicho término de seis meses, no serán cogidos sus efectos y mucho menos sus personas; por el contrario, los pasaportes que se les dieren, serán válidos durante el tiempo necesario á su vuelta, y comprenderán sus buques y los efectos que deseen llevar consigo ó enviar fuera, sirviéndoles de salvo-conducto contra los insultos y capturas que los buques privados de guerra intenten contra sus personas y efectos; y no se confiscarán, ni secuestrarán el dinero, las deudas, las acciones de los fondos públicos, ó de los bancos, ni ningunos otros bienes muebles ó raices que pertenezcan á los ciudadanos de una parte en los territorios de la otra.

ARTICULO II.

Los ciudadanos de cada una de las altas partes contratantes residentes ó establecidos en el territorio de la otra, estarán exentos de todo servicio militar forzado, de mar ó de tierra, y de todo préstamo forzoso, ó exacciones ó requisiciones militares; ni serán compelidos á pagar contribuciones cualesquiera mayores ú otras que las que pagan ó pagáren los ciudadanos naturales.

ARTICULO III.

Se permitirá á los ciudadanos de las partes contratantes entrar, morar, establecerse y residir en todas las partes de dichos territorios, y los que deseen dedicarse á negocios, tendrán derecho para tomar en alquiler y ocupar almacenes, siempre que se sometán á las leyes, así

as special, relative to the rights of travelling, residing, or trading. While they conform to the laws and regulations in force, they shall be at liberty to manage themselves their own business, subject to the jurisdiction of either party, as well in respect to the consignment and sale of their goods by wholesale or retail, as with respect to the loading, unloading, and sending off their ships. They may also employ such agents or brokers as they may deem proper, and shall in all these cases be treated as the citizens of the country wherein they reside; it being, nevertheless, distinctly understood that they shall be subject to such laws and regulations also in respect to wholesale or retail. They shall have free access to the tribunals of justice, in cases to which they may be a party, on the same terms which are granted by the laws and usage of the country to native citizens; for which purpose they may employ in defence of their interests and rights such advocates, attorneys, and other agents as they may think proper.

ARTICLE IV.

The citizens of each of the high contracting parties, residing in the other, shall enjoy the most perfect liberty of conscience. They shall be subjected to no inconveniences whatever on account of their religious belief. Nor shall they in any manner be annoyed or disturbed in the exercise of their religious worship in private houses, or in the chapels and places which they may select for that purpose, provided that, in so doing, they observe the decorum due to the laws, usages, and customs of the country. It is likewise agreed that the citizens of the one country dying in the territory of the other, may be interred either in the ordinary cemeteries, or in such others as may be selected for that purpose by their own government, or by their personal friends or representatives, with the consent of the local authorities. All such cemeteries, and funeral processions going to or returning from them,

generales como especiales, relativas á los derechos de viajar, residir, ó traficar. Mientras se conformen con las leyes y reglamentos vigentes, tendrán libertad de manejar ellos mismos sus propios negocios, con sujecion á la jurisdiccion de cada parte, asi con respecto á la consignacion y venta de sus mercancías por mayor ó menor, como con respecto á la carga, descarga y despacho de sus buques. También podrán emplear aquellos agentes ó corredores que crean conveniente, y en todos estos casos serán tratados como los ciudadanos del país donde residan; entendiéndose, sin embargo, claramente que también en cuanto á la venta por mayor ó menor estarán sujetos á tales leyes y reglamentos. Tendrán abiertos los tribunales de justicia en las causas en que puedan ser partes, en los mismos términos que las leyes y uso del país concedan á los ciudadanos naturales; para lo cual podrán emplear en defensa de sus intereses y derechos aquellos abogados, procuradores y otros agentes que crean conveniente.

Right to employ agents, &c.,

to have access to judicial tribunals.

ARTICULO IV.

Los ciudadanos de cada una de las altas partes contratantes residentes en la otra, gozarán de la mas perfecta libertad de conciencia, sin ser molestados de ningun modo por su creencia religiosa. Ni serán de ninguna manera incomodados ni perturbados en el ejercicio de su culto religioso en casas particulares, ó en las capillas y lugares que elijan al efecto, siempre que observen el decoro debido á las leyes, usos y costumbres del país. Se conviene asi mismo en que los ciudadanos de un país que mueran en el territorio del otro, puedan ser enterrados, ó en los cementerios comunes, ó en otros que sean elejidos á ese fin con el consentimiento de las autoridades locales, por su propio gobierno, ó por sus amigos ó representantes personales. Todas esos cementerios y las procesiones funerales, en su ida ó en su vuelta, seran protegidas de violacion ó perturbacion.

Liberty of conscience, &c.

Cemeteries.

shall be protected from violation or disturbance.

ARTICLE V.

Right to dispose of personal property.

The citizens of each of the high contracting parties, within the jurisdiction of the other, shall have power to dispose of their personal property by sale, donation, testament, or otherwise; and their personal representatives, being citizens of the other contracting party, shall succeed to their personal property, whether by testament or *ab intestato*. They may take possession thereof, either by themselves, or by others acting for them, at their pleasure, and dispose of the same, paying such duty only as the citizens of the country wherein the said personal property is situated, shall be subject to pay, in like cases. In the absence of a personal representative, the same care shall be taken of the property as by law would be taken of the property of a native in a similar case, whilst the lawful owner may take measures for securing it. If a question should arise among claimants as to the rightful ownership of the property, the same shall be [finally] decided by the judicial tribunals of the country in which it is situated.

Right of succession.

Real estate.

When on the decease of any person holding real estate within the territory of one party, such real estate would by the law of the land descend on a citizen of the other were he not disqualified by alienage, the longest term which the laws of the country in which it is situated will permit, shall be accorded to him to dispose of the same; nor shall he be subjected, in doing so, to higher or other dues, than if he were a citizen of the country wherein such real estate is situated.

ARTICLE VI.

Imports and duties.

The high contracting parties hereby agree that whatever kind of produce, manufactures, or merchandise of any foreign country can be, from time to time, lawfully imported into

ARTICULO V.

Los ciudadanos de cada una de las altas partes contratantes, dentro de la jurisdiccion de la otra, tendrán poder para disponer de sus bienes muebles por venta, donacion, testamento, ó de otro modo; y sus representantes personales, siendo ciudadanos de la otra parte contratante, sucederán en sus bienes muebles, ya sea por testamento ó *ab intestato*. Podrán tomar posesion de ellos, bien sea por si mismos, ó por otros que hagan sus veces, segun su voluntad, y disponer de los mismos, pagando solo aquellos derechos que estuvieren sujetos á pagar en iguales casos los ciudadanos del pais en donde estuvieren situados los dichos bienes muebles. A falta de representante personal se cuidará de los bienes del mismo modo que se cuidaría con arreglo á las leyes de los bienes de un natural en caso semejante, mientras el legítimo dueño tome providencias para asegurarlos. Si se suscitare cuestion entre los reclamantes sobre la legitima propiedad de los bienes, aquella será definitivamente decidida por los tribunales de justicia del pais donde se hallären estos situados.

Quando al morir alguna persona que tenga bienes raices, dentro del territorio de una parte, ellos pasarían segun el derecho de la tierra, á un ciudadano de la otra, si no lo inhabilitára su calidad de extrangero, se le concederá el mayor plazo que permitan las leyes del pais donde estuvieren situados, para disponer de ellos, y no será sometido, cuando lo haga, á otros ni mas altos derechos, que los que debería pagar, si fuera ciudadano del pais en que tales bienes raices esten situados.

ARTICULO VI.

Las altas partes contratantes convienen en que cualquiera clase de productos, manufacturas, ó mercancías de cualquier pais estrangero que puedan ser, en cualquier tiempo

the United States in their own vessels, may also be imported in the vessels of Venezuela, and no higher or other duties upon the tonnage or cargo of the vessels shall be levied or collected, whether the importation be made in a vessel under the flag of the United States or a vessel under the flag of Venezuela. And reciprocally whatever kind of produce, manufactures, or merchandise of any foreign country can be, from time to time, lawfully imported into Venezuela in her own vessels, may also be imported in vessels of the United States, and no higher or other duties upon the tonnage or cargo of the vessel shall be levied or collected, whether the importation be made in a vessel under the flag of Venezuela, or under the flag of the United States.

Whatever can be lawfully exported or re-exported by one party in its own vessels; to any foreign country, may in like manner be exported or re-exported in the vessels of the other; and the same duties, bounties, and drawbacks shall be collected and allowed, whether such exportation or re-exportation be made in vessels of the one or the other. Nor shall higher or other charges of any kind be imposed in the ports of one party on vessels of the other, than are or shall be payable in the same ports by national vessels.

ARTICLE VII.

The preceding article is not applicable to the coasting trade of the contracting parties, which is respectively reserved by each exclusively for its own citizens.

But vessels of either country shall be allowed to discharge a part of their cargoes at one port, and proceed to any other port or ports in the territories of the other to discharge the remainder, without paying higher or other port charges or tonnage dues than would be paid by national vessels in such cases, so long as this liberty shall

legalmente importadas en Venezuela en sus propios buques, puedan tambien ser importadas en los buques de los Estados Unidos, y en que no se impondrán, ni cobrarán otros ni mas altos derechos de tonelada ó por el cargamento de los buques, ya sea que se haga la importacion en buque que lleve la bandera de Venezuela ó en buque que lleve la bandera de los Estados Unidos. Y reciprocamente cualquier clase de productos, manufacturas, ó mercancías de cualquier país extranjero, que puedan ser en cualquier tiempo legalmente importadas en los Estados Unidos en sus propios buques, podrán tambien ser importadas en buques de Venezuela y no se impondrán ni cobrarán otros ni mas altos derechos de tonelada, ó por el cargamento del buque, bien se haga la importacion en buque que lleve la bandera de Venezuela, ó la de los Estados Unidos.

Todo lo que legalmente puede exportarse ó re-esportarse por una parte en sus propios buques, para cualquier país extranjero, podrá de la misma manera ser esportado ó re-esportado en las buques de la otra. Y se cobrarán y concederán los mismos derechos, premios, y descuentos, sea que la esportacion ó re-esportacion se haga en buques de la una ó de la otra. Ni se impondrán en los puertos de una parte á buques de la otra, otros ni mas altos derechos de cualquier género que los que paguen ó pagáren en los mismos puertos buques nacionales.

ARTICULO VII.

El precedente artículo no es aplicable al comercio de cabotage de las partes contratantes, que respectiva y esclusivamente reserva cada una á sus propios ciudadanos.

Pero se permitirá á los buques de cualquiera de los países descargar una parte de sus cargamentos en un puerto habilitado, y pasar á otro puerto ó puertos habilitados de los territorios de la otra á descargar el resto, sin pagar otros ni mas altos derechos de puerto, ni de tonelada que los que pagarían buques nacionales en semejantes casos; en-

Imports and duties.

Exports.

Coasting trade reserved to citizens.

be conceded to any foreign vessels by the laws of both countries.

ARTICLE VIII.

National character of vessels.

For the better understanding of the preceding stipulations, it has been agreed that every vessel belonging exclusively to a citizen or citizens of Venezuela, and whose captain is also a citizen of the same, such vessel having also complied with all the other requisites established by law to acquire such national character, though the construction and crew are or may be foreign, shall be considered, for all the objects of this treaty, as a Venezuelan vessel.

ARTICLE IX.

No other or higher duties.

No higher or other duty shall be imposed on the importation into the United States of any article the growth, produce, or manufacture of Venezuela, or of her fisheries; and no higher or other duty shall be imposed on the importation into Venezuela of any article the growth, produce, or manufacture of the United States or their fisheries, than are or shall be payable on the like articles the growth, produce, or manufacture of any other foreign country or its fisheries.

No other or higher duties or charges shall be imposed in the United States on the exportation of any article to Venezuela, nor in Venezuela, on the exportation of any article to the United States, than such as are or shall be payable on the exportation of the like article to any other foreign country.

No prohibition.

No prohibition shall be imposed on the importation of any article the growth, produce, or manufacture of the United States or their fisheries, or of Venezuela and her fisheries, from or to the ports of the United States or Venezuela, which shall not equally extend to every other foreign country. If, however, either party shall hereafter grant to any other nation any particular favor in navigation or commerce, it shall im-

Privileges of most favored nation.

tendiéndose esto mientras las leyes de ambos países permitan dichos actos á buques extranjeros.

ARTICULO VIII.

Para cabal inteligencia de las estipulaciones precedentes se ha convenido en que todo buque perteneciente esclusivamente á ciudadano ó ciudadanos de Venezuela, y cuyo capitán sea también ciudadano de ella, y supuesto que dicho buque haya cumplido con todos los demás requisitos establecidos por la ley para adquirir su nacionalidad, aunque su construcción y tripulación sean extranjeras, será considerado para todos los efectos de este tratado como buque Venezolano.

ARTICULO IX.

No se impondrán otros ni mas altos derechos á la importacion en Venezuela de cualquier artículo, produccion ó manufactura de los Estados Unidos ó de sus pesquerías, ni se impondrán otros ni mas altos derechos á la importacion en los Estados Unidos de cualquier artículo produccion ó manufactura de Venezuela ó de sus pesquerías, que los que se paguen ó pagáren por igual artículo produccion ó manufactura de cualquier otro país extranjero ó de sus pesquerías.

No se impondrán otros ni mas altos derechos ni cargas en Venezuela á la esportacion de cualquier artículo para los Estados Unidos, ni en los Estados Unidos á la esportacion de cualquier artículo para Venezuela, que los que se paguen ó pagáren á la esportacion de igual artículo para cualquier otro país extranjero.

No se impondrá ninguna prohibicion á la importacion ó esportacion de cualquier artículo produccion ó manufactura de Venezuela ó de sus pesquerías, ó de los Estados Unidos ó de las suyas que procedan de los puertos de Venezuela, ó de los Estados Unidos ó que se destinen á ellos que no se estienda igualmente á todos los demas países extranjeros. Sin embargo, si cualquiera de las dos partes concediere en lo su-

mediately become common to the other party, freely, where it shall be freely granted to such other nation, or for the same equivalent, when the grant shall be conditional.

ARTICLE X.

Should one of the high contracting parties hereafter impose discriminating duties upon the products of any other nation, the other party shall be at liberty to determine the manner of establishing the origin of its own products intended to enter the country by which the discriminating duties are imposed.

ARTICLE XI.

When any vessel of either party shall be wrecked, stranded, or otherwise damaged on the coasts, or within the jurisdiction of the other, their respective citizens shall receive as well for themselves as for their vessels and effects the same assistance which would be due to the inhabitants of the country where the accident happened, and they shall be liable to pay the same charges and dues of salvage as the said inhabitants would be liable to pay in a like case.

If the repairs which a stranded vessel may require shall render it necessary that the whole or any part of her cargo should be unloaded, no duties of custom, charges, or fees on such cargo as may be carried away shall be paid, except such as are payable in like case by national vessels.

It is understood nevertheless that if, while the vessel is under repair, the cargo shall be unladen and kept in a place of deposit destined for the reception of goods, the duties on which have not been paid, the cargo shall be liable to the charges and fees lawfully due to the keepers of such warehouses.

cesivo á otra nacion algun favor particular en punto á navegacion ó comercio, inmediatamente se hará comun á la otra parte, libremente, si la concesion se hubiese hecho libremente, ó dando el mismo equivalente, si la concesion fuere condicional.

ARTICULO X.

Si alguna de las altas partes contratantes impusiere en lo sucesivo derechos diferenciales á los productos de cualquier otra nacion, la otra parte tendrá libertad para determinar por sí, la manera de acreditar el origen de aquellos productos suyos que se destinen al pais por el cual se hubieren impuesto los derechos diferenciales.

Discriminating duties.

ARTICULO XI.

Cuando algun buque de cualquiera de las partes naufragare, encallare ó sufriende, otra averia en las costas, ó dentro de la jurisdiccion de la otra, sus respetivos ciudadanos recibirán para sí, y sus buques y efectos, la misma ayuda que se debería á los habitantes del pais donde ocurrió el accidente, y tendrán que pagar las mismas cargas y derechos de salvamento que dichos habitantes habrían de pagar en igual caso.

Wrecked, &c., vessels.

Si las reparaciones que requiera un buque encallado hicieren necesaria la descarga del todo ó parte de su cargamento, no se pagarán derechos de aduana, cargas, ni honorarios por el cargamento que se sacare, sino los que paguen en el mismo caso buques nacionales. Se entiende, sin embargo que, si mientras el buque se esté reparando, se desembarcare el cargamento y se guardare en un depósito destinado para la recepcion de géneros cuyos derechos no se han pagado, el cargamento quedará sujeto á las cargas y honorarios que legalmente se deban á los que cuidan tales almacenes.

Repairs.

ARTICLE XII.

Rights of neutrals. It shall be lawful for the citizens of either country to sail with their ships and merchandise, (contraband goods always excepted,) from any port whatever, to any port of the enemy of the other, and to sail and trade with their ships and merchandise, with perfect security and liberty, from the countries, ports, and places of those who are enemies of either party, without any opposition or disturbance whatsoever, and to pass not only directly from the places and ports of the enemy aforementioned, to neutral ports and places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be or be not under the jurisdiction of the same Power, unless such ports or places be effectively blockaded, besieged, or invested.

Blockade. And whereas it frequently happens that vessels sail for a port or place belonging to an enemy without knowing that the same is either besieged, blockaded, or invested, it is agreed that every vessel so circumstanced may be turned away from such port or place, but she shall not be detained, nor any part of her cargo, (if not contraband,) be confiscated, unless, after notice of such blockade or investment, she shall again attempt to enter; but she shall be permitted to go to any other port or place she shall think proper; provided the same be not blockaded, besieged, or invested.

Notice.

Right to leave. Nor shall any vessel of either of the parties that may have entered into such port or place before the same was actually besieged, blockaded, or invested by the other, be restrained from quitting such place with her cargo, nor, if found therein after the reduction and surrender of such place, shall such vessel or her cargo be liable to confiscation, but they shall be restored to the owners thereof.

ARTICLE XIII.

Contraband of war. In order to regulate what shall be deemed contraband of war, there

ARTICULO XII.

Será lícito á los ciudadanos de cualquiera de los dos países navegar con sus buques y mercancías (esceptuando siempre los géneros de contrabando) de un puerto cualquiera, á los del enemigo de la otra, y navegar y traficar con sus buques y mercancías, con perfecta seguridad y libertad, de los países, puertos y lugares de los que sean enemigos de una de las partes, sin oposicion ni molestia, y pasar, no solo directamente de los lugares y puertos mencionados del enemigo, á puertos y lugares neutrales, sino tambien de un lugar perteneciente á un enemigo, á otro lugar enemigo, ya sea que estén ó no bajo la jurisdiccion de la misma potencia; á menos que tales puertos ó lugares estén efectivamente bloqueados, sitiados, ó embestidos.

Y por cuanto frecuentemente sucede que navegan buques para un puerto ó lugar perteneciente á un enemigo sin saber que aquel esté sitiado, bloqueado ó embestido, se conviene en que pueda hacerse volver de tal puerto ó lugar á todo buque que se halle en estas circunstancias; pero no será detenida, ni confiscada parte alguna de su cargamento, (no siendo contrabando,) á menos que despues de la intimacion de semejante bloqueo ó ataque, intentáre otra vez entrar; mas le sera permitido ir á cualquier otro puerto ó lugar que juzgue conveniente, con tal que este no se halle bloqueado, sitiado ó embestido. Ni se impedirá á ningun buque de cualquiera de las partes que haya entrado en tal puerto ó lugar, antes de estar efectivamente sitiado, bloqueado, ó embestido por la otra, salir de él con su cargamento, ni, si fuere hallado allí despues de la reduccion y entrega del lugar, estará sujeto á confiscacion el buque, ni su cargamento, sino que serán restituidos á sus dueños.

ARTICULO XIII.

A fin de arreglar lo que haya de juzgarse contrabando de guerra, se

shall be comprised under that denomination, gunpowder, saltpetre, petards, matches, balls, bombs, grenades, carcasses, pikes, halberds, swords, belts, pistols, holsters, cavalry saddles and furniture, cannons, mortars, their carriages and beds, and generally all kinds of arms, ammunition of war, and instruments fit for the use of troops; all the above articles, whenever they are destined to the port of an enemy, are hereby declared to be contraband, and just objects of confiscation; but the vessel in which they are laden, and the residue of the cargo, shall be considered free, and not in any manner infected by the prohibited goods, whether belonging to the same or a different owner.

ARTICLE XIV.

It is hereby stipulated that free ships shall give a freedom to goods, and that everything shall be deemed free and exempt which shall be found on board the ships belonging to the citizens of either of the contracting parties, although the whole lading, or any part thereof, should appertain to the enemies of either, contraband goods being always excepted. It is also agreed, in like manner, that the same liberty be extended to persons who are on board a free ship, with this effect, that although they be enemies to either party, they are not to be taken out of that free ship unless they are soldiers, and in actual service of the enemy.

ARTICLE XV.

In time of war the merchant ships belonging to the citizens of either of the contracting parties which shall be bound to a port of the enemy of one of the parties, and concerning whose voyage and the articles of their cargo there shall be just grounds of suspicion, shall be obliged to exhibit, as well upon the high seas as in the ports or roads, not only their passports but likewise their certificates, showing that their goods are not of the quality of those which

comprenderá en esa denominacion, la pólvora, salitre, petardas, mechas, balas, bombas, granadas, carcacas, picas, alabardas, espadas, cinturones, pistolas y sus fundas, sillas y arneses de caballería, cañones, morteros con sus cureñas y afustes, y generalmente toda especie de armas, municiones de guerra, é instrumentos á propósito para el uso de tropas; todos los cuales artículos, cuando quiera que se destinen al puerto de un enemigo, se declaran por la presente, contrabando, y justos objetos de confiscacion; pero se considerarán libres y de ninguna manera contaminados por los géneros prohibidos, el buque cargado de ellos, y el resto del cargamento, ya pertenezcan al mismo dueño ó á diversos.

ARTICULO XIV.

Se estipula aquí, que los buques libres darán libertad á los géneros, y que se ha de considerar libre y exento, todo lo que se hallare á bordo de los buques pertenecientes á los ciudadanos de cualquiera de las partes contratantes; aunque toda la carga ó parte de ella pertenezca á enemigos de una ú otra, esceptuándose siempre los géneros de contrabando de guerra. Se conviene tambien del mismo modo, en que se estenderá la misma libertad á las personas que se encuentren abordo de buques libres, con el efecto de que, aunque ellas sean enemigos de cualquiera de las partes, no deban ser estraidos de los buques libres, á no ser militares y estar en actual servicio del enemigo.

ARTICULO XV.

En tiempo de guerra los buques mercantes pertenecientes á ciudadanos de cualquiera de las partes contratantes, destinados á algun puerto del enemigo de una de ellas, y respecto á cuyo viaje y artículos de cargamento hubiere justos motivos de sospecha, tendrán obligacion de exhibir, así en alta mar como en los puertos ó radas, no solo sus pasaportes, sino tambien sus certificados para demostrar que sus géneros no son de la cualidad de los especifica-

Contraband of war.

Free ships make free goods.

Persons.

Merchant ships on the high seas.

are specified to be contraband in the thirteenth article of the present convention.

ARTICLE XVI.

Passports for ships of neutrals.

And that captures on light suspicions may be avoided, and injuries thence arising prevented, it is agreed that when one party shall be engaged in war, and the other party be neutral, the ships of the neutral party shall be furnished with passports, that it may appear thereby that the ships really belong to the citizens of the neutral party; they shall be valid for any number of voyages, but shall be renewed every year—that is, if the ship happens to return home in the space of a year. If the ships are laden they shall be provided, not only with the passports above mentioned, but also with certificates, so that it may be known whether they carry any contraband goods. No other paper shall be required, any usage or ordinance to the contrary notwithstanding. And if it shall not appear from the said certificates that there are contraband goods on board, the ships shall be permitted to proceed on their voyage. If it shall appear from the certificates that there are contraband goods on board any such ship, and the commander of the same shall offer to deliver them up the offer shall be accepted, and a receipt for the same shall be given, and the ship shall be at liberty to pursue its voyage unless the quantity of the contraband goods be greater than can conveniently be received on board the ship-of-war or privateer, in which case, as in all other cases of just detention, the ship shall be carried into the nearest safe and convenient port for the delivery of the same.

No other paper required.

Contraband.

If there are no passports.

If any ship shall not be furnished with such passport or certificates as are above required for the same, such case may be examined by a proper judge or tribunal, and if it shall appear from other documents or proofs, admissible by the usage of nations, that the ship belongs to the citizens or subjects of the neutral party, it shall not be confiscated,

dos como contrabando en el artículo décimo-tercero de la presente convencion.

ARTICULO XVI.

Y para evitar las capturas fundadas en leves sospechas, é impedir los daños consiguientes, se conviene en que cuando una parte estuviere en guerra y la otra permaneciere neutral, se darán á los buques de la parte neutral, pasaportes de los cuales aparezca que los buques pertenecen realmente á ciudadanos de la parte neutral; estos pasaportes les servirán para cualquier número de viajes, pero se renovarán de año en año, entendiéndose esto, si acaso el buque volviere á su pais dentro del espacio de un año. Si los buques estan cargados, no solo irán provistos de los pasaportes arriba mencionados, sino tambien de certificados tales que por ellos se conozca si llevan géneros de contrabando; y no se requerira ningun otro papel, no obstante cualquier uso ú ordenanza en contrario. Y si no constáre de dichos certificados, que hai abordo géneros de contrabando, se permitirá á los buques proseguir sus viajes. Si constáre de los certificados que hai abordo de tal buque géneros de contrabando, y su comandante ofreciere entregarlos, se aceptará la oferta, se dará un recibo de ellos y quedará el buque en libertad de continuar su viage; á menos que, la cantidad de los géneros de contrabando sea mayor que la que convenientemente pueda recibirse abordo del buque de guerra, público ó privado; caso en el cual el buque será llevado, para que los entregue, como en todos los demas de justa detencion, al puerto mas inmediato, cómodo y seguro.

Si algun buque no estuviere provisto del pasaporte o certificados que se requieren, segun lo dicho, podrá un juez ó tribunal competente examinar la causa, y si se viere de otros documentos ó pruebas, admisibles segun el uso de las naciones, que el buque pertenece á los ciudadanos ó súbditos de la parte neutral, no será confiscado, sino puesto en lib-

but shall be released with her cargo, (contraband goods excepted,) and be permitted to proceed on her voyage.

If the master of a ship, named in the passport, should happen to die, or be removed by any other cause, and another put in his place, the ship and cargo shall, nevertheless, be equally secure, and the passport remain in full force.

ARTICLE XVII.

If the ships of the citizens of either of the parties shall be met with on the high seas, by any ship-of-war or privateer of the other, for the avoiding of any disorder, the said ships-of-war or privateers shall remain out of cannon shot, and may send their boats on board the merchant ship which they shall so meet with, and may enter her to the number of two or three men only, to whom the master or commander of such ship shall exhibit his passport concerning the property of the ship; and it is expressly agreed that the neutral party shall in no case be required to go on board the examining vessel for the purpose of exhibiting his papers, or for any other examination whatever.

ARTICLE XVIII.

It is expressly agreed by the high contracting parties that the stipulations above mentioned, relative to the conduct to be observed on the sea by the cruisers of the belligerent party towards the ships of the neutral party, shall be applicable only to ships sailing without convoy, and when the said ships shall be convoyed, it being the intention of the parties to observe all the regards due to the protection of the flag displayed by public ships, it shall not be lawful to visit them; but the verbal declaration of the commander of the convoy that the ships he convoys belong to the nation whose flag he carries, and that they have no contraband goods on board, shall be considered by the respective

ertad con su cargamento (excepto los géneros de contrabando) y se le permitirá seguir su viaje.

Si el capitán de un buque nombrado en el pasaporte, llegare á morir, ó faltare por cualquiera otra causa, y fuere puesto otro en su lugar, gozarán, sin embargo, de igual seguridad el buque y su cargamento, y el pasaporte conservará toda su fuerza.

If master of ship dies.

ARTICULO XVII.

Si se encontráren los buques de los ciudadanos de cualquiera de las partes navegando en alta mar, por algun buque de guerra público ó privado de la otra, para evitar cualquier desórden dichos buques de guerra públicos ó privados permanecerán fuera de tiro de cañón y podrán enviar sus botes abordo del buque mercante que encontráren, y entrar en él hasta el número de dos ó tres hombres solamente, á los cuales, el capitán ó comandante del buque exhibirá su pasaporte concerniente á la propiedad del buque. Y se ha convenido espresamente en que en ningun caso se exigirá á la parte neutral, que vaya abordo del buque examinador con el fin de exhibir sus papeles ó para que se le haga algun otro exámen sea el que fuere.

Examination of vessels by ships of war.

ARTICULO XVIII.

Las altas partes contratantes convienen espresamente en que las estipulaciones arriba mencionadas relativas á la conducta que ha de observarse en el mar por los cruceros de la parte beligerante con los buques de la parte neutral, solamente se aplicarán á buques que naveguen sin convoy, y que cuando dichos buques fueren convoyados, queriendo las partes observar todos los miramientos debidos á la bandera que despliegan los buques públicos que los protegen, no será lícito visitarlos, sino que los respectivos cruceros considerarán como enteramente suficiente la declaracion verbal que haga el comandante del convoy, de que los buques que convoya pertenecen á la nacion cuya

Ships sailing with convoy not to be visited.

cruisers as fully sufficient; the two parties reciprocally engaging not to admit under the protection of their convoys ships which shall have on board contraband goods destined to an enemy.

ARTICLE XIX.

Duty in case of captured vessels.

In all cases where vessels shall be captured, or detained to be carried into port, under pretence of carrying to the enemy contraband goods, the captor shall give a receipt for such of the papers of the vessel as he shall retain, which receipt shall be annexed to a copy of the said papers; and it shall be unlawful to break up or open the hatches, chests, trunks, casks, bales, or vessels found on board, or remove the smallest part of the goods, unless the lading be brought on shore in presence of the competent officers, and an inventory be made by them of the same. Nor shall it be lawful to sell, exchange, or alienate the said articles of contraband in any manner, unless there shall have been lawful process, and the competent judge, or judges shall have pronounced against such goods sentence of confiscation.

ARTICLE XX.

Master, &c. of captured ship not to be removed, &c.

And in such time of war, that proper care may be taken of the vessel and cargo, and embezzlement prevented, it is agreed that it shall not be lawful to remove the master, commander, or supercargo of any captured ship from on board thereof, during the time the ship may be at sea after her capture, or pending the proceedings against her, or her cargo, or anything relating thereto; and in all cases where a vessel of the citizens of either party shall be captured or seized and held for adjudication, her officers, passengers, and crew shall be hospitably treated; they shall not be imprisoned or deprived of any part of their wearing apparel, nor of the possession and use of their money, not exceeding for the captain, supercargo, and mate five hundred dollars each, and

Crew and passengers.

bandera lleva él, y que no tienen á su bordo géneros de contrabando; obligándose recíprocamente ambas partes á no admitir bajo la protección de sus convoyes, buques que tengan á su bordo géneros de contrabando destinados á un enemigo.

ARTICULO XIX.

En todos los casos en que se capturáren ó detuviéren buques para conducirlos á un puerto con motivo de que llevan géneros de contrabando, el captor dará de los papeles del buque que retenga un recibo que pondrá al pié de una copia de ellos; y no será lícito romper ni abrir los cuarteles, arcas, baulés, cubas, fardos ni vasos hallados abordo, ni sacar la menor porcion del cargamento, á menos que se lleve á tierra, y á presencia de los empleados competentes los cuales harán de el un inventario. Ni será lícito vender, permutar ni enajenar de ningun modo dichos artículos de contrabando, á menos que haya habido procedimiento legal y que el juez ó jueces competentes hayan pronunciado contra ellos sentencia de confiscacion.

ARTICULO XX.

Y para que se cuide convenientemente en dicho tiempo de guerra el buque y carga, y se impida su hurto, se conviene en que no será lícito quitar de abordo de ningun buque capturado, á su capitán, comandante, ni sobrecargo, durante el tiempo que estuviere el buque en el mar, despues de la captura, ó mientras penden los procedimientos contra él, el cargamento ó cualquiera cosa que le concierna. Y en todos los casos en que se capturáre, ó cojiere, y se retuviere para que se adjudique, algun buque de los ciudadanos de cualquiera de las partes, se dará hospitalidad á sus empleados, pasajeros y tripulacion; ellos no serán encarcelados, ni privados de parte alguna de sus vestidos, ni de la posesion y uso de su dinero, en cuanto no exceda de

for the sailors and passengers one hundred dollars each.

ARTICLE XXI.

It is further agreed that in all cases the established courts for prize causes, in the country to which the prizes may be conducted, shall alone take cognizance of them. And whenever such tribunal of either of the parties shall pronounce judgment against any vessel, or goods, or property claimed by the citizens of the other party, the sentence or decree shall mention the reasons or motives on which the same shall have been founded, and an authenticated copy of the sentence or decree, and of all the proceedings in the case, shall, if demanded, be delivered to the commander or agent of the said vessel without any delay, he paying the legal fees for the same.

ARTICLE XXII.

And that more abundant care may be taken for the security of the citizens of the contracting parties, and to prevent their suffering injuries, all commanders of ships-of-war and privateers, and all others the said citizens shall forbear doing any damage to those of the other party, or committing any outrage against them, and if they act to the contrary they shall be punished, and shall also be bound in their persons and estates to make satisfaction and reparation for all damages, and the interest thereof, of whatever nature the said damages may be.

For this cause all commanders of privateers, before they receive their commissions, shall hereafter be obliged to give, before a competent judge, sufficient security by at least two responsible sureties, who have no interest in the said privateer, each of whom, together with the said commander, shall be jointly and severally bound in the sum of seven thousand dollars, or of nine thousand four hundred dollars Venezuelan currency, or if said ship be

quinientos pesos por cabeza tratándose del capitán, sobrecargo, y piloto, ni de cien pesos por cada uno de los marineros y pasajeros.

ARTICULO XXI.

Se conviene además en que en todos los casos que ocurran tan solo los tribunales establecidos para causas de presas, en el país á que las presas sean conducidas, tomarán conocimiento de ellas. Y siempre que semejante tribunal de cualquiera de las partes pronunciare sentencia contra algun buque, ó géneros, ó propiedad, reclamados por los ciudadanos de la otra parte, la sentencia, ó decreto hará mención de las razones ó motivos en que se haya fundado aquella; y se entregará sin demora alguna al comandante ó agente de dicho buque si lo reclamáre, un testimonio auténtico de la sentencia ó decreto, y de todo el proceso, pagando por él los derechos legales.

Courts for prize causes.

Decree.

ARTICULO XXII.

Y para que se ponga aún mayor cuidado en la seguridad de los ciudadanos de las partes contratantes, y se impida que sufran injurias, todos los comandantes de buques de guerra públicos y privados, y todos los demás ciudadanos se abstendrán de causar ningun daño á los de la otra parte, ó de cometer algun ultraje contra ellos, y si lo contrario hicieren, serán castigados y tambien obligados á satisfacer y reparar con sus personas y bienes todos los daños y perjuicios que ocasionáren, cualquiera que se sea su naturaleza.

Commanders of ships-of-war and privateers responsible for damages.

Por esta causa todos los comandantes de buques de guerra privados, antes de recibir sus despachos tendrán en lo sucesivo obligacion de dar, ante juez competente, suficiente seguridad á lo menos con dos fadores responsables que no tengan interes en el buque, cada uno de los cuales juntamente con dicho comandante de "mancomun et in solidum" quedará obligado con la suma de siete mil pesos fuertes, ó nueve mil cuatrocientos pesos sencillos, ó si el

Commanders of privateers to give bonds, &c.

provided with above one hundred and fifty seamen or soldiers, in the sum of fourteen thousand dollars, or eighteen thousand eight hundred dollars Venezuelan currency, to satisfy all damages and injuries which the said privateer, or her officers or men, or any of them, may do or commit during her cruise, contrary to the tenor of this convention, or to the laws and instructions for regulating their conduct; and, further, that in all cases of aggressions, said commission shall be revoked and annulled.

ARTICLE XXIII.

Prizes, &c. not to pay duties,

When the ships-of-war of the two contracting parties or those belonging to their citizens which are armed in war shall be admitted to enter with their prizes the ports of either of the two parties, the said public or private ships, as well as their prizes, shall not be obliged to pay any duty either to the officers of the place, the judges, or any others; nor shall such prizes, when they come to and enter the ports of either party, be arrested or seized, nor shall the officers of the place make examination concerning the lawfulness of such prizes, but they may hoist sail at any time and depart and carry their prizes to the places expressed in their commissions, which the commanders of such ships-of-war shall be obliged to show. It is understood, however, that the privileges conferred by this article shall not extend beyond those allowed by law or by treaty with the most favored nations.

not to be arrested.

Limitation.

Enemies' privateers.

It shall not be lawful for any foreign privateers who have commissions from any prince or State in enmity with either nation to fit their ships in the ports of either, to sell their prizes, or in any manner to exchange them; neither shall they be allowed to purchase provisions, except such as shall be necessary to their going to the next port of that prince or State from which they have received their commissions.

buque estuviere provisto de mas de ciento cincuenta marineros, ó soldados, con la suma de catorce mil pesos fuertes, ó diez y ocho mil ochocientos pesos sencillos, á satisfacer todos los daños é injurias que dicho buque de guerra particular, ó sus empleados, ó marineros, ó cualquiera de ellos hagan ó cometan durante su crucero contra el tenor de esta convencion ó de las leyes é instrucciones por las cuales deben arreglar su conducta; y ademas se les revocará y anulará dicha patente en todos los casos en que cometan agresiones.

ARTICULO XXIII.

Cuando se admitan con sus presas en los puertos de cualquiera de las dos partes los buques de guerra de ellas ó los pertenecientes á sus ciudadanos que estén armados en guerra, dichos buques públicos, ó privados, como tampoco sus presas no serán obligados á pagar ningun derecho á los empleados del lugar, jueces, ni ningunos otros; ni serán detenidas ni embargadas tales presas cuando lleguen á los puertos de cualquiera de las partes y entren en ellos, ni sobre su legalidad harán ningun exámen los empleados del lugar; sino que tales buques de guerra podrán en cualquier tiempo izar las velas y partir y llevarse sus presas á los lugares indicados en sus patentes que sus comandantes deberán mostrar. Entiendese sin embargo que los privilegios conferidos en este artículo no se extenderán mas allá de los que se concedan por ley, ó por tratado con las naciones mas favorecidas.

ARTICULO XXIV.

No será lícito á ningunos armadores extranjeros que hayan recibido patente de cualquier príncipe ó estado que sea enemigo de cualquiera de las dos naciones, equipar sus buques en los puertos de la otra; ni vender, ni de ninguna manera permutar sus presas, ni se les permitirá comprar provisiones, sino las que sean necesarias para ir al próximo puerto del príncipe ó estado de que hayan recibido sus patentes.

ARTICLE XXV.

No citizen of Venezuela shall apply for or take any commission or letters of marque for arming any ship or ships to act as privateers against the said United States, or any of them, or against the citizens, people, or inhabitants of the said United States, or any of them, or against the property of any of the inhabitants of any of them, from any prince or State with which the said United States shall be at war; nor shall any citizen or inhabitant of the said United States, or any of them, apply for or take any commission or letters of marque for arming any ship or ships to act as privateers against the citizens or inhabitants of Venezuela, or any of them, or the property of any of them, from any prince or State with which the said Republic shall be at war; and if any person of either nation shall take such commissions or letters of marque, he shall be punished according to their respective laws.

ARTICLE XXVI.

The high contracting parties grant to each other the liberty of having in the ports of the other consuls or vice-consuls of their own appointment, who shall enjoy the same privileges and powers as those of the most favored nation; but if any of the said consuls or vice-consuls shall carry on trade, they shall be subjected to the same laws and usages to which private individuals of their nation are subjected in the same place.

It is understood that whenever either of the two contracting parties shall select a citizen of the other for a consular agent, to reside in any ports or commercial places of the latter, such consul or agent shall continue to be regarded, notwithstanding his quality of a foreign consul, as a citizen of the nation to which he belongs, and consequently shall be subject to the laws and regulations to which natives are subjected in the place of his residence. This obligation, however, shall in

ARTICULO XXV.

De ningún príncipe ó estado con quien los Estados Unidos esten en guerra, solicitarán ni tomarán los ciudadanos de Venezuela patentes ni letras de marca, para armar ningún buque ó buques y salir á corso contra los dichos Estados Unidos ó alguno de ellos, ó contra los ciudadanos, pueblos ó habitantes de dichos Estados Unidos ó alguno de ellos; ni contra los bienes de ninguno de sus habitantes; ni ningún ciudadano ni habitante de los Estados Unidos, ó alguno de ellos, solicitará ni tomará de ningún príncipe ó estado con que Venezuela esté en guerra patentes ni letras de marca para armar algun buque ó buques y salir á corso contra los ciudadanos ó habitantes de dicha República, ó alguno de ellos, y si algun individuo de cualquiera de las dos naciones tomáre tales patentes ó letras de marca, será castigado conforme á sus respectivas leyes.

Citizens of one power not to use letters of marque against the other.

ARTICULO XXVI.

Las altas partes contratantes se conceden recíprocamente la libertad de tener en los puertos de la otra cónsules ó vice cónsules nombrados por ellas mismas, los cuales gozarán de los propios privilegios y facultades que los de la nacion mas favorecida; pero, si algunos de dichos cónsules ó vice cónsules ejercieren el comercio, estarán sujetos á las mismas leyes y usos á que estuviéren sujetos en el mismo lugar los particulares de su nacion.

Consuls and vice-consuls.

Se entiende que, siempre, que cualquiera de las dos partes contratantes elijere á un ciudadano de la otra por agente consular con residencia en puertos ó plazas comerciales de la última, tal cónsul ó agente continuará siendo considerado, no obstante su calidad de cónsul extranjero, como ciudadano de la nacion á que pertenece, y consiguientemente estará sometido á las leyes y reglamentos á que en el lugar de su residencia lo estuviéren los naturales. Sin embargo, esta obliga-

When consular agent is a citizen.

no respect embarrass the exercise of his consular functions or affect the inviolability of the consular archives.

Consuls and vice-consuls to be arbitrators,

The said consuls and vice-consuls shall have the right, as such, to sit as judges and arbitrators in such differences as may arise between the masters and crews of the vessels belonging to the nation whose interests are committed to their charge without the interference of the local authorities, unless their assistance should be required, or the conduct of the crews or of the captain should disturb the order or tranquillity of the country. It is, however, understood that this species of judgment or arbitration shall not deprive the contending parties of the right they have to resort, on their return, to the judicial authority of their own country.

to arrest deserters, &c.

The said consuls and vice-consuls are authorized to require the assistance of the local authorities for the arrest and imprisonment of the deserters from the ships-of-war and merchant vessels of their country. For this purpose they shall apply to the competent tribunals, judges, and officers, and shall, in writing, demand such deserters, proving by the exhibition of the registers of the vessels, the muster rolls of the crews, or by any other official documents, that such individuals formed part of the crews; and on this claim being substantiated the surrender shall not be refused. Such deserters, when arrested, shall be placed at the disposal of the consuls and vice-consuls, and may be confined in the public prisons at the request and cost of those who shall claim them, in order to be sent to the vessels to which they belong, or to others of the same country. But if not sent back within three months of the day of their arrest, they shall be set at liberty, and shall not again be arrested for the same cause. However, if the deserter shall be found to have committed any crime or offence, his surrender may be delayed until the tribunal before which his case shall be pending shall have pronounced its sentence and such sentence shall have been carried into effect.

Proceedings.

cion en ningun respecto embarazará el ejercicio de sus funciones consulares, ni afectará la inviolabilidad de los archivos consulares.

Dichos cónsules y vice cónsules tendrán como tales el derecho de servir de jueces arbitradores en las diferencias que se susciten entre los capitanes y tripulaciones de los buques pertenecientes á la nacion cuyos intereses estan puestos á su cuidado, sin intervencion de las autoridades locales, á ménos que se requiera la asistencia de ellas, ó que la conducta de las tripulaciones ó del capitán turbe el orden ó la tranquilidad del país. Se entiende sin embargo, que esta especie de juicio ó arbitramento no privará á las partes contendientes del derecho que tienen para recurrir, cuando vuelvan á su país, á la autoridad judicial de este.

Dichos cónsules y vice cónsules tendrán la facultad de requerir la asistencia de las autoridades locales para el arresto y prision de los desertores de los buques de guerra y mercantes de su país. A este fin, se dirigirán á los tribunales, jueces y empleados competentes, y reclamarán por escrito tales desertores, probando con la exhibicion de los registros de los buques, los roles de las tripulaciones ó cualesquiera otros documentos oficiales, que tales individuos formaban parte de aquella; y probado así esta demanda, no se negará la entrega. Tales desertores, cuando sean arrestados, serán puestos á la disposicion de los cónsules y vice cónsules, y podrán ser encerrados en las cárceles públicas á solicitud y expensas de los que los reclámen para ser enviados á los buques á que pertenezcan ó á otros del mismo país. Pero si no fueren mandados dentro de tres meses contados desde el día de su arresto, serán puestos en libertad, y no volverán á ser arrestados por la misma causa. Si se viere sin embargo que el desertor ha cometido algun crimen ó delito, se deferirá su entrega hasta que el tribunal donde penda su causa haya pronunciado sentencia y se haya llevado ésta á ejecucion.

ARTICLE XXVII.

The United States of America and the Republic of Venezuela, on requisitions made in their name through the medium of their respective diplomatic and consular agents, shall deliver up to justice persons who, being charged with the crimes enumerated in the following article, committed within the jurisdiction of the requiring party, shall seek asylum or shall be found within the territories of the other: *Provided*, That this shall be done only when the fact of the commission of the crime shall be so established as to justify their apprehension and commitment for trial, if the crime had been committed in the country where the persons so accused shall be found; in all of which the tribunals of said country shall proceed and decide according to their own laws.

ARTICLE XXVIII.

Persons shall be delivered up, according to the provisions of this convention, who shall be charged with any of the following crimes, to wit: murder, (including assassination, parricide, infanticide, and poisoning;) attempt to commit murder; rape; forgery; the counterfeiting of money; arson; robbery with violence, intimidation, or forcible entry of an inhabited house; piracy; embezzlement by public officers, or by persons hired or salaried, to the detriment of their employers, when these crimes are subject to infamous punishment.

ARTICLE XXIX.

On the part of each country the surrender shall be made only by the authority of the executive thereof. The expenses of detention and delivery effected in virtue of the preceding articles, shall be at the cost of the party making the demand.

ARTICULO XXVII.

La República de Venezuela y los Estados Unidos de América, en virtud de requisitorias que se hagan en su nombre, por el órgano de sus respectivos agentes diplomáticos y consulares, entregarán á la justicia las personas á quienes imputandose los crímenes enumerados en el artículo siguiente cometidos dentro de la jurisdicción de la parte requirente, buscaren asilo ó fueren encontrados dentro de los territorios de la otra; con tal que se haga esto solamente cuando el hecho de la comisión del crimen esté acreditado de modo que justificase la aprehension y sometimiento á juicio de las personas acusadas, si se hubiese cometido el crimen en el pais donde se hallen, en todo lo cual los tribunales de dicho pais procederán y decidirán conforme a sus leyes.

Fugitives from justice.

Evidence of crime.

ARTICULO XXVIII.

Conforme á las disposiciones de esta convencion, serán entregadas las personas á quienes se impute alguno de los crímenes siguientes, á saber: Homicidio voluntario, (incluyendo el asesinato, el parricidio, el infanticidio, y el envenenamiento;) conato de homicidio; fuerza hecha á muger; falsificacion; fabricacion de moneda falsa; incendio; robo con violencia, intimidacion, ó entrada violenta en una casa habitada; piratería; peculado ó hurto cometido por personas alquiladas ó asalariadas en detrimento de los que las emplean, cuando estos crímenes esten sujetos á castigo infamante.

Crimes for which surrender is allowed.

ARTICULO XXIX.

Por parte de cada pais, la entrega será hecha solamente de orden del ejecutivo. Los gastos de detencion y entrega hechos en virtud de los artículos precedentes, correrán á cargo de la parte reclamante.

Executive alone to surrender, &c.

Expenses, &c.

ARTICLE XXX.

Not to apply to political offences.

The provisions of the foregoing articles relating to the surrender of fugitive criminals shall not apply to offences committed before the date hereof, nor to those of a political character.

ARTICLE XXXI.

Convention to continue eight years.

This convention is concluded for the term of eight years, dating from the exchange of the ratifications; and if one year before the expiration of that period neither of the contracting parties shall have announced, by an official notification, its intention to the other to arrest the operations of said convention, it shall continue binding for twelve months longer, and so on, from year to year, until the expiration of the twelve months which will follow a similar declaration, whatever the time at which it may take place.

Notice to terminate.

ARTICLE XXXII.

When and where to be ratified.

This convention shall be submitted on both sides to the approval and ratification of the respective competent authorities of each of the contracting parties, and the ratifications shall be exchanged at Caracas, as soon as circumstances shall admit.

Signature.

In faith whereof the respective plenipotentiaries have signed the foregoing articles, in the English and Spanish languages, and they have hereunto affixed their seals.

Date.

Done in duplicate, at the city of Caracas, this twenty-seventh day of August, in the year of our Lord one thousand eight hundred and sixty.

E. A. TURPIN. [L. s.]
PEDRO DE LAS CASAS. [L. s.]

Ratification.

AND WHEREAS the said treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged in the city of Caracas on the ninth day of August last:

Publication.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, have caused the said treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled by the United States and the citizens thereof.

ARTICULO XXX.

Las disposiciones de los artículos anteriores relativos á la entrega de reos prófugos, no se aplicarán á delitos cometidos antes de esta fecha, ni á los de carácter político.

ARTICULO XXXI.

Esta convencion se celebra por el término de ocho años contados desde el canje de las ratificaciones; y si un año antes de espirar ese plazo, ninguna de las partes contratantes hubiere anunciado á la otra, por medio de una notificacion oficial, su voluntad de detener los efectos de dicha convencion, esta continuará obligatoria por doce meses mas, y asi en adelante de año en año, hasta que terminen los doce meses que seguirán á semejante declaracion, sea cual fuere el tiempo en que tenga efecto.

ARTICULO XXXII.

Esta convencion será sometida por ambas partes á la aprobacion y ratificacion de las respectivas autoridades competentes de cada una de las contratantes, y las ratificaciones, canjeadas en Carácas luego que las circunstancias lo permitan.

En fé de lo cual los respectivos plenipotenciaros han firmado y sellado los precedentes artículos en Español y en Inglés.

Hecho por duplicado en la ciudad de Carácas á veinte siete de Agosto, del año del Señor de mil ocho cientos y sesenta.

PEDRO DE LAS CASAS. [L. s.]
E. A. TURPIN. [L. s.]

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty-fifth day of September, in the year of our Lord one thousand eight hundred and [L. s.] sixty-one, and of the Independence of the United States the eighty-sixth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Arapahoe and Cheyenne Indians of the Upper Arkansas River. Concluded, February 18, 1861. Ratified, with amendment, August 6, 1861. Amendment accepted, October 29, 1861. Proclaimed, December 5, 1861.

ABRAHAM LINCOLN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

Feb. 18, 1861.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS a treaty was made and concluded at Fort Wise, in the Territory of Kansas, on the eighteenth day of February, in the year one thousand eight hundred and sixty-one, by and between Albert G. Boone and F. B. Culver, commissioners on the part of the United States, and the hereinafter-named chiefs and delegates of the confederated tribes of Arapahoe and Cheyenne Indians of the Upper Arkansas River, they being duly authorized thereto by said tribes, which treaty is in the words and figures following, to wit:

Preamble.

Articles of agreement and convention made and concluded at Fort Wise, in the Territory of Kansas, on the eighteenth day of February, in the year of our Lord one thousand eight hundred and sixty-one, by and between Albert G. Boone and F. B. Culver, commissioners on the part of the United States, and the following named chiefs and delegates, representing the confederated tribes of Arapahoe and Cheyenne Indians of the Upper Arkansas River, viz.: Little Raven, Storm, Shave-Head, and Big Mouth, (on the part of the Arapahoes,) and Black Kettle, White Antelope, Lean Bear, Little Wolf, Tall Bear, and Left Hand, or Namos, (on the part of the Cheyennes,) they being thereto duly authorized by said confederated tribes of Indians.

Contracting parties.

ARTICLE 1st. The said chiefs and delegates of said Arapahoe and Cheyenne tribes of Indians do hereby cede and relinquish to the United States all the lands now owned, possessed, or claimed by them, wherever situated, except a tract to be reserved for the use of said tribes located within the following described boundaries, to wit: Beginning at the mouth of the Sandy Fork of the Arkansas River and extending westwardly along the said river to the mouth of Purgatory River; thence along up the west bank of the Purgatory River to the northern boundary of the Territory of New Mexico; thence west along said boundary to a point where a line drawn due south from a point on the Arkansas River, five miles east of the mouth of the Huerfano River, would intersect said northern boundary of New Mexico; thence due north from that point on said boundary to the Sandy Fork to the place of beginning.

Cession of lands.

Boundaries.

The Arapahoes and Cheyennes, being desirous of promoting settled habits of industry and enterprise amongst themselves, by abolishing the tenure in common by which they now hold their lands, and by assigning limited quantities thereof in severalty to the individual members of the respective tribes, to be cultivated and improved for their individual use and benefit, it is hereby agreed and stipulated that the tract of country contained within the boundary above described, shall be set apart and retained by them for the purposes aforesaid.

Tenure of lands.

According to an understanding among themselves, it is hereby agreed between the United States and the said tribes that the said reservation be surveyed and divided.

Reservation to be surveyed and divided.

shall be surveyed and divided by a line to be run due north from a point on the northern boundary of New Mexico, fifteen miles west of the Purgatory River, and extending to the Sandy Fork of the Arkansas River, which said line shall establish the eastern boundary of that portion of the reservation, to be hereafter occupied by the Cheyennes, and the western boundary of that portion of said reservation to be hereafter occupied by the Arapahoes.

Assignment in severalty of lands to members of tribe,

to agent of tribes,

for schools.

Location of lands.

Lands owned in common.

Name of reservation.

Laws.

Assignment to be under direction of Secretary of Interior.

Certificates.

Lands not to be alienated, except, &c.

to be exempt, &c.

Disposition in case of death, &c.

ARTICLE 2d. Out of the lands so set apart and retained there shall be assigned to each member of said tribes, without distinction of age or sex, a tract of forty acres, to include, in every case, as far as practicable, a reasonable portion of timber and water; one hundred and sixty acres of said retained lands shall also be set apart and appropriated to the use and occupancy of the agent, for the time being, of said tribes; and one hundred and sixty acres shall also be reserved out of each division of the retained tract for the establishment and support of schools for the education of the youth of the tribes. The location of the tracts, the assignment of which is provided for in this article, shall be made in as regular and compact a manner as possible, and so as to admit of a distinct and well-defined exterior boundary, embracing the whole of them, and any intermediate portions or parcels of land or water not included in or made part of the tracts assigned in severalty. All such intermediate parcels of land and water shall be owned in common by the tribe occupying that portion of the reservation within the limits of which said parcels of land and water may be included; but in case of increase in the tribe, or other cause rendering it necessary or expedient, the said intermediate parcels of land shall be subject to distribution and assignment in such manner as the Secretary of the Interior may prescribe and direct. The whole of the lands, assigned and unassigned, embraced within the exterior boundary herein designated, shall constitute and be known as the Reservation of the Arapahoes and Cheyennes of the Upper Arkansas; and all laws which have been or may be passed by the Congress of the United States regulating trade and intercourse with Indian tribes, shall have full force and effect over the same, and no white person, except as shall be in the employment of the United States, shall be allowed to reside or go upon any portion of said reservation without the written permission of the superintendent of the central superintendency, or of the agent of the tribes.

ARTICLE 3d. The division and assignment in severalty among the Arapahoes and Cheyennes of the land hereinbefore reserved for that purpose, shall be made under the direction of the Secretary of the Interior, and his decision of all questions arising thereupon shall be final and conclusive. Certificates shall be issued by the Commissioner of Indian Affairs for the tracts assigned in severalty, specifying the names of the individuals to whom they have been assigned respectively, and that the said tracts are set apart for the exclusive use and benefit of the assignees and their heirs. And said tracts shall not be alienated in fee, leased, or otherwise disposed of, except to the United States, or to members of the respective bands of Arapahoes and Cheyennes, and under such rules and regulations as may be prescribed by the Secretary of the Interior. And said tracts shall be exempt from taxation, levy, sale, or forfeiture, until otherwise provided by Congress. Prior to the issue of the certificates aforesaid, the Secretary of the Interior shall make such rules and regulations as he may deem necessary or expedient respecting the disposition of any of said tracts, in case of the death of the person or persons to whom they may be assigned, so that the same shall be secured to the families of such deceased persons; and should any of the Indians to whom tracts shall be assigned, abandon them, the said Secretary may take such action in relation to the proper disposition thereof as, in his judgment, may be necessary and proper.

ARTICLE 4th. In consideration of the foregoing cession, relinquishment, and agreements, and for the purpose of establishing the Arapahoes and Cheyennes comfortably upon the lands to be assigned to them in severalty, by building them houses, and by furnishing them with agricultural implements, stock animals, and other necessary aid and facilities for commencing agricultural pursuits under favorable circumstances, the United States do hereby agree and stipulate as follows, to wit: 1st. To protect the said Arapahoes and Cheyennes in the quiet and peaceable possession of the said tract of land so reserved for their future home, and also their persons and property thereon, during good behavior on their part. 2d. To pay to them, or expend for their benefit, the sum of thirty thousand dollars per annum for fifteen years; that is to say, fifteen thousand dollars per annum for each tribe for that number of years, commencing with the year in which they shall remove to and settle and reside upon their said reservation; making four hundred and fifty thousand dollars in annuities in the period of fifteen years, of which sums the Secretary of the Interior shall, from time to time, determine what proportion shall be expended for their benefit, and for what objects such expenditures shall be made, due regard being had, in making such determination, to the best interests of said Indians. He shall likewise exercise the power to make such provision out of said sums as he may deem to be necessary and proper for the support and comfort of the aged or infirm and helpless orphans of the said Indians. Their annuities may, at the discretion of the President of the United States, be discontinued entirely, should said Indians fail to make reasonable and satisfactory efforts to advance and improve their condition; in which case such other provision shall be made for them as the President and Congress may judge to be suitable and proper. 3d. It is hereby agreed that the expenses to be incurred in the purchase of agricultural implements, stock animals, &c., referred to in this article, as also the cost and expense of breaking up and fencing land, building houses, storehouses, or other needful buildings, or in making such other improvements as may be necessary for their comfort and welfare, shall be defrayed out of the aforesaid sum of four hundred and fifty thousand dollars, to be paid to or expended for the benefit of the Arapahoes and Cheyennes as annuities.

Stipulations on the part of the United States.

Protection of persons and property.

Annuities.

Aged and infirm.

Annuities may be discontinued.

Purchase of stock, agricultural implements, &c.

ARTICLE 5th. To provide the said Indians with a mill suitable for sawing timber and grinding grain, one or more mechanic shops, with necessary tools for the same, and dwelling-houses for an interpreter, miller, engineer for the mill, (if one be necessary,) farmers, and the mechanics that may be employed for their benefit, the United States agree to expend therefor a sum not exceeding five thousand dollars per annum for five years; and it is agreed that all articles of goods and provisions, stock, implements, lumber, machinery, &c., referred to in this treaty, shall be transported to the respective tribes of Arapahoes and Cheyennes, at the cost and expense of the United States.

Mills and mechanic shops.

ARTICLE 6th. The Arapahoes and Cheyennes of the Upper Arkansas, parties to this agreement, are anxious that all the members of their tribe shall participate in the advantages herein provided for respecting their improvement and civilization, and, to that end, to induce all that are now separated to rejoin and reunite with them. It is therefore agreed that, as soon as practicable, the Commissioner of Indian Affairs shall cause the necessary proceedings to be adopted to have them notified of this agreement and its advantages; and to induce them to come in and unite with their brethren; and to enable them to do so, and to sustain themselves for a reasonable time thereafter, such assistance shall be provided for them, at the expense of the tribe, as may be actually necessary for that purpose: *Provided, however,* That those who do not rejoin and permanently reunite themselves with the tribe within one year from the date of the ratification of this treaty, shall not be entitled to the benefit of any of its stipulations.

All members of the tribe to participate.

To come in within one year.

Further aid.

ARTICLE 7th. Should any further aid from time to time be necessary to enable the Arapahoes and Cheyennes of the Upper Arkansas to sustain themselves successfully in agricultural or other industrial pursuits, such additional means as may be required therefor shall be taken from the moneys due and belonging to them under the provisions of former treaties or articles of agreement and convention, and so much of said moneys as may be required to furnish them further aid as aforesaid shall be applied in such manner, under the direction of the Secretary of the Interior, as he shall consider best calculated to improve and promote their welfare. And, in order to render unnecessary any further treaty engagements or arrangements hereafter with the United States, it is hereby agreed and stipulated that the President, with the assent of Congress, shall have full power to modify or change any of the provisions of former treaties with the Arapahoes and Cheyennes of the Upper Arkansas, in such manner and to whatever extent he may judge to be necessary and expedient for their best interests.

President and Congress may modify, &c. former treaties.

Expenses of this treaty.

ARTICLE 8th. All the expenses connected with and incident to the making of this agreement and the carrying out its provisions shall be defrayed by the United States, except as otherwise herein provided.

Roads, &c. to have right of way.

ARTICLE 9th. It is agreed that all roads and highways, laid out by authority of law, shall have right of way through the lands within the reservation hereinbefore specified, on the same terms as are provided by law when roads and highways are made through lands of citizens of the United States.

Existing annuities to be continued, &c.

ARTICLE 10th. It is also agreed by the United States that the annuities now paid to the Arapahoes and Cheyennes, under existing treaties or articles of agreement and convention, shall be continued to them until the stipulations of said treaties or articles of agreement and convention relating to such annuities shall be fulfilled.

Proprietors of Denver city, &c. to enter land, &c.

ARTICLE 11th. In consideration of the kind treatment of the Arapahoes and Cheyennes by the citizens of Denver City and the adjacent towns, they respectfully request that the proprietors of said city and adjacent towns be permitted by the United States government to enter a sufficient quantity of land to include said city and towns, at the minimum price of one dollar and twenty-five cents per acre.

Instrument, when to be obligatory.

ARTICLE 12th. This instrument shall be obligatory on the contracting parties whenever the same shall be ratified by the President and the Senate of the United States.

Signature.

In testimony whereof, the said Commissioner[s] as aforesaid, and the said Chiefs and Delegates of the Arapahoes and Cheyennes of the Upper Arkansas, have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

A. G. BOONE,

U. S. Ind. Agt. and Commissioner.

F. B. CULVER,

Comr. and Spec. Agt.

On the part of the Arapahoes.

HO-HA-CA-CHE,	his x mark, or Little Raven.
AC-KER-BA-THE,	his x mark, or Storm.
CHE-NE-NA-E-TE,	his x mark, Shave-Head.
MA-NA-SA-TE,	his x mark, Big Mouth.

On the part of the Cheyennes.

MO-TA-VA-TO,	his x mark, Black Kettle.
VO-KI-VOKAMAST,	his x mark, White Antelope.
AVO-NA-CO,	his x mark, Lean Bear.
O-NE-A-HA-KET,	his x mark, Little Wolf.

NA-KO-HAIS-TAH, his x mark, Tall Bear.
 A-AM-A-NA-CO, his x mark, Left Hand, or Namos.

JOHN S. SMITH, *U. S. Interpreter.*
 ROBERT BENT, *U. S. Interpreter.*

Witnesses to the signatures :

JOHN SEDGWICK, *Major of Cavalry.*
 R. RANSOM, Jr., *Lt. of Cavalry.*
 J. E. B. STUART, *1st Lt. 1st Cavalry.*
 JOHN WHITE, *Clerk to the Indian signatures.*

P. S. And it is further understood, before signing the above treaty, that it was the particular request and wish of the Chiefs and Councillors in general convention, in consideration of Robert Bent being one of their half-breed tribe, that he should have, as a gift from the nation, six hundred and forty acres of land, covering the valley and what is called the Sulphur Spring, lying on the north side of the Arkansas River and about five miles below the Pawnee Hills, and they wish the general government to recognize and confirm the same; and that Jack Smith, son of John S. Smith, who is also a half-breed of said nation, shall have six hundred and forty acres of land, lying seven miles above Bent's Old Fort, on the north side of the Arkansas River, including the valley and point of rock, and respectfully recommend the general government to confirm and recognize the same.

Gift to Robert Bent,

to Jack Smith

A. G. BOONE,
Com. and Ind. Agt.
 F. B. CULVER,
Comr. and Specl. Agt.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the sixth day of August, one thousand eight hundred and sixty-one, advise and consent to the ratification of the same by a resolution, and with an amendment in the words and figures following, to wit :

Ratification.

“ IN EXECUTIVE SESSION,
 “ SENATE OF THE UNITED STATES, August 6, 1861.

“ *Resolved*, (two-thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention made and concluded at Fort Wise, in the Territory of Kansas, on the eighteenth day of February, in the year of our Lord one thousand eight hundred and sixty-one, by and between Albert G. Boone and F. B. Culver, Commissioners on the part of the United States, and the following named Chiefs and Delegates, representing the confederated tribes of Arapahoe and Cheyenne Indians of the Upper Arkansas River, viz.: Little Raven, Storm, Shave-Head, and Big Mouth, (on the part of the Arapahoes,) and Black Kettle, White Antelope, Lean Bear, Little Wolf, Tall Bear, and Left Hand, or Namos, (on the part of the Cheyennes,) they being thereto duly authorized by said confederated tribes of Indians, with the following amendment, viz.:

Amendment.

“ Strike out the eleventh article, in the following words :

“ ART. 11th. In consideration of the kind treatment of the Arapahoes and Cheyennes by the citizens of Denver City and the adjacent towns, they respectfully request that the proprietors of said city and adjacent towns be permitted by the United States government to enter a sufficient quantity of land to include said city and towns at the minimum price of one dollar and twenty-five cents per acre.”

Attest :

J. W. FORNEY, *Secretary.*

TREATY WITH THE ARAPAHOE

And whereas the foregoing amendment having been fully interpreted and explained to the Chiefs and Delegates of the confederated tribes of Arapahoe and Cheyenne Indians of the Upper Arkansas River, in full council assembled, on the [twenty-ninth day of October, one thousand eight hundred and sixty-one,] they did thereunto give their free and voluntary assent in the words and figures following, to wit :

Assent to
amendment.

We, the undersigned Chiefs, Councillors, Head Men, and Delegates, representing the confederated tribes of Arapahoe and Cheyenne Indians of the Upper Arkansas River, on behalf of said tribes, now in full council assembled, having had fully explained to us the amendment made on the 6th day of August, 1861, by the Senate of the United States, to the treaty made and concluded on the eighteenth day of February, in the year of our Lord one thousand eight hundred and sixty-one, by and between Albert G. Boone and F. B. Culver, Commissioners on the part of the United States, and the following named Chiefs, Councillors, and Head Men of the Arapahoe and Cheyenne confederated tribes of Indians, viz. : Little Raven, Storm, Shave-Head, and Big Mouth, (on the part of the Arapahoes,) and Black Kettle, White Antelope, Lean Bear, Little Wolf, Tall Bear, and Left Hand, or Namos, (on the part of the Cheyennes,) they being thereto duly authorized by said confederated tribes of Indians ; which amendment is in the following words, viz. :

Strike out the eleventh article, in the following words :

“ART. 11th. In consideration of the kind treatment of the Arapahoes and Cheyennes by the citizens of Denver City and the adjacent towns, they respectfully request that the proprietors of said city and adjacent towns be permitted by the United States government to enter a sufficient quantity of land to include said city and towns, at the minimum price of one dollar and twenty-five cents per acre.”

In testimony whereof, we have hereunto set our hands and affixed our seals this 29th day of October, 1861.

Signed on the part of the Arapahoes.

HO-HA-CA-CHE,	his x mark, or Little Raven.
AC-KER-BA-THE,	his x mark, or Storm.
CHE-NE-NA-E-TE,	his x mark, or Shave-Head.
MA-NA-CA-TE,	his x mark, or Big Mouth.

On the part of the Cheyennes.

ME-TU-RA-TO,	his x mark, or Black Kettle.
VO-KI-ROKAMAST,	his x mark, or White Antelope.
AVO-NACO,	his x mark, or Lean Bear.
OHI-A-HA-KET,	his x mark, or Little Wolf
NA-KO-HARSTULE,	his x mark, or Tall Bear.
HANO-A-NA-CO,	his x mark, or Left Hand, or Namos.

Witness :

A. G. BOONE, *Agt., &c., and Commissioner.*
 ELMER OTIS, *Capt. 4th Cav., Comdg.*
 J. M. WARREN, *2d Lieut. 8th Inf.*
 JOHN H. JANEWAY, *Asst. Surg., U. S. A.*
 JOHN S. SMITH, *U. S. Interpreter.*

Ratification.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the sixth day of August, one thousand eight hundred and sixty-one, accept, ratify, and confirm said treaty, with the amendment as aforesaid

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this fifth day of December, [L. s.] in the year of our Lord, one thousand eight hundred and sixty-one, and of the Independence of the United States the eighty-sixth. **Proclaimed.**

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: March 6, 1861.

WHEREAS a treaty was made and concluded at the Great Nemaha Agency, in the Territory of Nebraska, on the sixth day of March, in the year of our Lord one thousand eight hundred and sixty-one, by and between Daniel Vanderslice, United States Indian Agent, on the part of the United States, and Pe-te-ok-a-ma, Ne-sour-quoit, Mo-less, and Se-se-ah-kee, chiefs and delegates of the Indians known as the Sacs and Foxes of Missouri, duly authorized thereto by said Indians, and No-heart, Nag-ga-rash, Mah-hee, To-hee, Tah-ra-kee, Thur-o-mony, and White Horse, chiefs and delegates of the Indians known as the Iowa tribe, duly authorized thereto by said Indians, in the words and figures following, to wit:

Articles of agreement and convention made and concluded at the office of the Great Nemaha Agency, Nebraska Territory, on the sixth day of March, A. D. one thousand eight hundred and sixty-one, by and between Daniel Vanderslice, U. S. Indian agent, on the part of the United States, and the following named delegates of the Sacs and Foxes of Missouri, viz: Pe-te-ok-a-ma, Ne-sour-quoit, Mo-less, and Se-se-ah-kee; and the following named delegates of the Iowa tribe, viz: No-heart, Nag-ga-rash, Mah-hee, To-hee, Tah-ra-kee, Thur-o-mony, and White Horse; they being duly authorized thereto by their respective tribes.

Contracting parties.

ARTICLE I. The Sacs and Foxes of Missouri hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to lands within their present reservation, described as follows, viz: beginning at the mouth of the south fork of the Great Nemaha river, and thence up the southwest bank of the Great Nemaha, with its meanders, to the mouth of the west fork; thence up the west fork, with its meanders, to the line of the 40° of parallel on the west bank of creek or fork, where is established the southwest corner of the Sac and Fox reserve, by erecting a stone monument, from which the following references bear, viz: A large cottonwood tree, 3 feet in diameter, bears S. 44° 00' E. 1.05 chains; a rock bears N. 30° 00' W. 50 links; another rock bears N. 50° 00' west 50 links; and another rock bears due north 1 chain; thence east, along the line of the 40° of parallel to the west bank of the south fork of the Great Nemaha river, distance fourteen miles twenty-seven chains and sixty links, where is established the southeast corner of the Sac and Fox reserve, by erecting a stone pile with a black walnut post in the centre of it, from which a white elm, two feet in diameter, bears S. 33° 00' E. 22 links, and marked with the letters S. E. Cor. for the southeast corner, and another elm, 18 inch[e]s in diameter, bears S. 39° 00' E. 1.05 chains, and marked SE C B SE., for the southeast corner, bearing, and distance; and another black walnut, 9 inch[e]s in diameter, bears S. 15° 00' E. 85 links, and thence down the south fork, with its meanders, to the point of beginning, estimated to contain 32,098 acres, 3 roods and 35 perches.

Cession of reservation to the United States.

Boundaries.

ARTICLE II. The aforesaid lands shall be surveyed in conformity with the system governing the survey of the public lands; and the same shall be sold, under the direction of the Secretary of the Interior, in parcels

Lands to be surveyed and sold at auction.

not exceeding one hundred and sixty acres each, to the highest bidder for cash; the sale to be made upon sealed proposals, to be duly invited by public advertisement, provided no bid shall be favorably considered which may be less than one dollar and twenty-five cents per acre. And should

Improvements. The proceeds of the sales thereof, after deducting therefrom the expenses of surveying the lands and all other expenses incident to the negotiation of these articles of convention and the proper execution thereof, the balance shall be applied as follows, viz: one half shall be held in trust by the United States for the benefit of the Sacs and Foxes of Missouri, and interest thereon, at the rate of five per centum per annum, shall be paid annually, with the other funds to be paid said tribe, in the same manner as stipulated in the treaty of May 18th, 1854; and the other half of said balance shall be applied as hereinafter specified.

Proceeds of sale.

Vol. x. p. 1074.

Iowas cede to the United States lands for the Sacs and Foxes.

ARTICLE III. The Iowa tribe of Indians, parties to this agreement, hereby cede, relinquish and convey to the United States, for the use and benefit of the Sacs and Foxes of Missouri, for their permanent home, all that part of their present reservation lying and being west of Nohearts creek, and bounded as follows, viz: Beginning at a point where the southern line of the present Iowa reserve crosses Nohearts creek; thence with said line to the south fork of the Nemaha, (commonly known as Walnut creek;) thence down the middle of said south fork, with the meanders thereof, to its mouth, and to a point in the middle of the Great Nemaha river; thence down the middle of said river to a point opposite the mouth of Nohearts creek; and thence, in a southerly direction with the middle of said Nohearts creek, to the place of beginning. And it is hereby understood and agreed that, in full consideration for said cession, the United States shall hold in trust, for the use and benefit of the Iowas, the one half of the net proceeds of the sales of the lands described in the second article of this agreement, and interest thereon, at the rate of five per centum per annum, shall be paid to the Iowa tribe in the same manner as their annuities are paid under the treaty of May 17th, 1854. The reservation herein described shall be surveyed and set apart for the exclusive use and benefit of the Sacs and Foxes of Missouri, and the remainder of the Iowa lands shall be the tribal reserve of said Iowa Indians, for their exclusive use and benefit.

Boundaries.

Vol. x. p. 1069.

Joseph Tesson may select each a quarter-section of land.

ARTICLE IV. The Sacs and Foxes of Missouri being anxious to make full satisfaction for a just claim which Joseph Tesson holds against said tribe, it is hereby agreed by the parties to this convention that said claimant shall select a quarter-section or one hundred and sixty acres of land, to include his present residence and improvements, to be located in one body, in conformity with the legal subdivisions of the public surveys, which tract of land shall be received by him in full payment of said claim, estimated at about eight hundred dollars, and all other claims or rights of every character whatsoever against said tribe; and when a relinquishment shall have been executed by said claimant in favor of said tribe for all claims that he may have against them, a patent shall be issued to him for said tract of land in fee simple.

Certain chiefs may select each a quarter-section of land.

The following chiefs shall be entitled to select each a quarter-section or one hundred and sixty acres of land in one body, in conformity with the public surveys, to include their present residences and improvements, viz: Pe-te-ok-a-ma, Ne-sour-quoit, and Mo-less; and George Gomess, a member of the Sac and Fox tribe, shall select in like manner one eighth of a section or eighty acres of land in one body, to include his improvements, and patents shall be issued therefor in favor of said persons in fee simple.

Grants for pur-

ARTICLE V. In order to encourage education among the aforesaid

tribes of Indians, it is hereby agreed that the United States shall expend the sum of one thousand dollars for the erection of a suitable school-house, and dwelling-house for the school teacher, for the benefit of the Sacs and Foxes, and also the additional sum of two hundred dollars per annum for school purposes, so long as the President of the United States may deem advisable. And for the benefit of the Iowa tribe of Indians there shall be expended, in like manner, at the discretion of the President, the sum of three hundred dollars per annum, for school purposes, which two last mentioned sums shall be paid out of the funds to be appropriated for the civilization of Indians.

poses of education.

ARTICLE VI. There shall be set apart in one body, under the direction of the Commissioner of Indian Affairs, one section, or six hundred and forty acres of land, in harmony with the public surveys, so as to include the agency dwelling, agency office, council house, school-house, teacher's dwelling, blacksmith's dwelling and shops, and such farming land as may be necessary for the use of the school, agency, and employees thereat.

ARTICLE VII. No person not a member of either of the tribes, parties to this convention, shall go upon the reservations or sojourn among the Indians without a license or written permit from the agent or superintendent of Indian affairs, except Government employees or persons connected with the public service. And no mixed blood Indians, except those employed at some mission, or such as may be sent there to be educated, or other members of the aforesaid tribes, shall participate in the beneficial provisions of this agreement or former treaties, unless they return to and unite permanently with said tribes, and reside upon the respective reservations within six months from the date of this convention.

Persons not to reside on the reservation without permit.

ARTICLE VIII. It is hereby understood and agreed by the contracting parties hereto that the stipulations of the treaty with the Sacs and Foxes of Missouri of May 18th, 1854, and the treaty with the Iowa Indians of the 17th of May, 1854, which may not be inconsistent with these articles of convention, shall have full force and effect upon the contracting parties hereto.

Former treaty stipulations.

ARTICLE IX. This instrument shall be obligatory upon the respective parties hereto, whenever the same shall be ratified by the President and the Senate of the United States.

When this treaty to be obligatory.

Signatures.

In testimony whereof, the said commissioner as aforesaid, and the said chiefs and delegates of the Sacs and Foxes of Missouri, and [of the] Iowa tribe of Indians, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

D. VANDERSLICE,	<i>U. S. Indian Agent.</i>	[L. s.]
PE-TE-OK-A-MA,	his x mark.	[L. s.]
NE-SOUR-QUOIT,	his x mark.	[L. s.]
MO-LESS,	his x mark.	[L. s.]
SE-SE-AH-KEE,	his x mark.	[L. s.]
	<i>Sac[s] and Foxes of Mo.</i>	
NO-HEART,	his x mark.	[L. s.]
NAG-GA-RASH,	his x mark.	[L. s.]
MAH-HEE,	his x mark.	[L. s.]
TO-HEE,	his x mark.	[L. s.]
TAH-RA-KEE,	his x mark.	[L. s.]
THUR-O-MONY,	his x mark.	[L. s.]
WHITE-HORSE,	his x mark.	[L. s.]

Iowa Indians.

Signed in the presence of —

GEORGE GOMESS, his x mark, *U. S. Interpreter for Sac[s] and Foxes of Mo.*

HARVEY W. FORMAN, witness to signing by George Gomess.

KIRWAN MURRAY, *U. S. Interpreter for Iowa Indians.*

HARVEY W. FORMAN.
JOHN W. FORMAN.
JOSEPHUS UTT.

Ratification with amendment. And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the sixth day of February, one thousand eight hundred and sixty-three, advise and consent to the ratification of the same by a resolution and with an amendment in the words and figures following, to wit:

IN THE SENATE OF THE UNITED STATES,
February 6th, 1863.

Resolved, (two-thirds of the Senators present concurring.) That the Senate advise and consent to the ratification of the articles of agreement and convention concluded at the Great Nemaha Agency, Nebraska Territory, the 6th March, 1861, between Daniel Vanderslice, United States Indian Agent, and delegates of the Sacs and Foxes of Missouri, with the following amendments, viz:

Insert the following as additional articles:

Toll-bridge. ARTICLE X. The Secretary of the Interior may expend a sum not exceeding three thousand five hundred dollars, (\$3,500,) out of the proceeds of the sales of said lands, at any time he may deem it advisable for the purpose of erecting a toll bridge across the Great Nemaha River, at or near Roy's Ferry, for the use of the Iowa Indians; and a like sum of three thousand five hundred dollars, (\$3,500,) out of the proceeds of the sales of said lands, for the purpose of erecting a toll bridge across the Great Nemaha River, at or near Wolf Village, for the use of the Sacs and Foxes of Missouri.

Tolls. Toll shall be charged and collected for the use of said bridges at such rates and under such rules and regulations as may be established by the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior; the proceeds of such tolls to be expended as follows: 1st, in making necessary repairs on said bridges; 2d, for the use of said tribes respectively.

Annuities, how may be paid. ARTICLE XI. It is further stipulated that, whenever Congress shall by law so provide, all annuities due and to become due and payable to the said tribes of Indians under this treaty, and under all other previous treaties, may be paid in specific articles, clothing, agricultural implements, and such other articles as Congress shall direct.

Attest:

J. W. FORNEY, *Secretary*.

Amendment assented to.

And whereas the foregoing amendment having been fully interpreted and explained to the hereinafter-named chiefs and delegates of the Sac and Fox and the Iowa tribes of Indians, they did, on the fourth day of March, one thousand eight hundred and sixty-three, give their free and voluntary assent to the same, in the words and figures following, to wit:

And whereas the foregoing amendments have been fully interpreted and explained to the undersigned Chiefs and Delegates of the Sac and Fox and the Iowa tribes of Indians, we do hereby agree to and ratify the same.

Done at the Great Nemaha Agency, Nebraska Territory, on this fourth day of March A. D. 1863.

PE-TE-OK-E-MA, his x mark.

NE-SOUR-QUOIT, his x mark.

MO-LESS, his x mark.

Sac[s] and Foxes of Mo.

NAG-GA-RASH, his x mark.

MA-HEE, his x mark.

TO-HEE,	his x mark.
THUR-O-MONY,	his x mark.
TAH-RA-KEE,	his x mark.
	<i>Iowa Indians.</i>

In the presence of—

JOHN A. BURBANK, *U. S. Ind. Agent.*

GEORGE GOMESS, his x mark, *U. S. Interpreter for Sac[s] and
Foxes of Mo.*

H. M. ROBINSON.

D. W. ALLISON.

ELISHA DORION, his x mark, *Interpreter for Iowa Indians.*

J. W. WASHBURN.

M. GRIFFIN.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the sixth day of February, one thousand eight hundred and sixty-three, accept, ratify, and confirm said treaty, with the amendment as aforesaid.

Proclaimed by
the President.

In testimony whereof I have hereto signed my name and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty-sixth day of March, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

*Treaty between the United States and the Delaware Tribe of Indians.
Concluded July 2, 1861. Ratified, August 6, 1861. Proclaimed,
October 4, 1861.*

ABRAHAM LINCOLN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING :

July 2, 1861.

Preamble.

WHEREAS a treaty or agreement was made and concluded at Leavenworth City, Kansas, on the second day of July, one thousand eight hundred and sixty-one, between the United States of America and the Delaware tribe of Indians, relative to certain lands of that tribe conveyed to the Leavenworth, Pawnee, and Western Railroad Company, and to bonds executed to the United States by the said company for the payment of the said Indians, which treaty or agreement, with the preliminary and incidental papers necessary to the full understanding of the same, is in the following words, to wit :

Whereas, by the treaty of May 30, 1860, between the United States and the Delaware tribe of Indians, it is provided that the surplus lands of said Delawares, not included in their "home reserve," should be surveyed and appraised under direction of the Secretary of the Interior; and that in order to aid in the construction of a railroad near and through their said "home reserve," the Leavenworth, Pawnee, and Western Railroad Company of Kansas, duly organized and incorporated under the laws of said territory, should have the right to purchase such surplus lands at such appraised value — on condition, however, that after paying for said lands, said company should only receive title to one half of them on completing and equipping, within a reasonable time, twenty-five (25) miles of said railroad from Leavenworth City westward; and should only receive title to the remaining half of said lands on completing and equipping said road, within a reasonable time, to the western boundary of the "Delaware Reserve;" and that in case said company should fail to pay for said lands, or having paid, should forfeit the same, or any part thereof, before receiving title, by failing to construct either the first or the second section of said road within such reasonable time, then the lands so forfeited, or not paid for, should be sold in quantities not exceeding one hundred and sixty (160) acres, at not less than such appraised value; the proceeds of such sale, subject to a certain contingent deduction, to be invested by the President of the United States in "safe and profitable stocks," for the benefit of said Delaware Indians:

Certain lands pledged by railroad company to secure its bonds.

And whereas said surplus lands, to the amount of 223,966 $\frac{7}{10}$ acres, have been duly surveyed and appraised at an aggregate valuation of two hundred and eighty-six thousand seven hundred and forty-two and $\frac{1}{10}$ (\$286,742 $\frac{1}{10}$) dollars :

And whereas the said Leavenworth, Pawnee, and Western Railroad Company has executed, under their corporate seal, and by the hand of Thomas Ewing, Jr., their agent, their twenty-nine (29) several bonds, all of even date herewith, and numbered from one to twenty-nine, inclusive, for sums amounting in the aggregate to \$286,742 $\frac{1}{10}$, being the amount of the valuation of said surplus lands as above stated, twenty-eight (28) of which said bonds are for the sum of ten thousand (\$10,000) dollars

each, and one is for the sum of six thousand and seven hundred and forty-two and $\frac{15}{100}$ (\$6,742 $\frac{15}{100}$) dollars, and payable in ten (10) years after their date, at the office of the Assistant Treasurer of the United States, in the city of New York, to the Commissioner of Indian Affairs of the United States or bearer, with interest at the rate of six per cent. per annum, payable annually at the same place on interest warrants attached to said bonds, which said bonds have been delivered by said company to Archibald Williams, judge of the United States Court for the District of Kansas, and have been by him received and receipted for as agent of the United States for that purpose specially appointed, in accordance with the instructions of the President of the United States of June 10, 1861, hereto attached and made part hereof, and for the consideration and use in said instructions set forth:

Now, therefore, to secure the payment of said bonds and every part thereof, and of all interest to become due thereon, according to the terms thereof, the Leavenworth, Pawnee, and Western Railroad Company, by its agent hereto specially authorized by resolution of the board of directors of said company of April 11, 1861, a certified copy of which said resolution is hereto attached, hereby agrees with the United States, as trustee for said Delaware tribe of Indians, that in case said company shall at any time hereafter neglect or fail to pay the whole or any part of the interest on all or any one of said bonds, or shall neglect or fail to pay the whole or any part of the principal of all or any one of said bonds, when any such payment, either of principal or of interest, shall become due and payable, then the said Railroad Company shall be deemed and held to have forfeited all right and title of any kind whatever to the one hundred thousand (100,000) acres of land herein described, to wit:

List of lands.	DESCRIPTION.				DESCRIPTION.				
	Section.	Township.	Range.	Meridian.	Section.	Township.	Range.	Meridian.	
				P. M.				P. M.	
Southeast quarter	2	10	17 E.	6th	South half	25	10	19 E.	6th
Section	12	10	17 E.	6th	Section	26	10	19 E.	6th
West half	13	10	17 E.	6th	Section	28	10	19 E.	6th
East half	14	10	17 E.	6th	West half	30	10	19 E.	6th
Section	24	10	17 E.	6th	Section	32	10	19 E.	6th
West half	25	10	17 E.	6th	Section	34	10	19 E.	6th
Section	36	10	17 E.	6th	Section	36	10	19 E.	6th
South half	3	10	18 E.	6th	South half	2	10	20 E.	6th
South half	4	10	18 E.	6th	South half	4	10	20 E.	6th
Section	9	10	18 E.	6th	S. W. quarter	5	10	20 E.	6th
East half	19	10	18 E.	6th	S. E. quarter	6	10	20 E.	6th
East half	24	10	18 E.	6th	Section	8	10	20 E.	6th
North half	25	10	18 E.	6th	Section	10	10	20 E.	6th
East half	26	10	18 E.	6th	Section	12	10	20 E.	6th
West half	28	10	18 E.	6th	Section	14	10	20 E.	6th
East half	30	10	18 E.	6th	West half	15	10	20 E.	6th
West half	32	10	18 E.	6th	Section	17	10	20 E.	6th
Section	35	10	18 E.	6th	East half	19	10	20 E.	6th
South half	1	10	19 E.	6th	East half	20	10	20 E.	6th
South half	3	10	19 E.	6th	West half	21	10	20 E.	6th
South half	5	10	19 E.	6th	Section	22	10	20 E.	6th
East half	7	10	19 E.	6th	Section	24	10	20 E.	6th
Section	9	10	19 E.	6th	Section	26	10	20 E.	6th
Section	11	10	19 E.	6th	Section	28	10	20 E.	6th
Section	13	10	19 E.	6th	Section	30	10	20 E.	6th
Section	15	10	19 E.	6th	Section	32	10	20 E.	6th
Section	17	10	19 E.	6th	Section	34	10	20 E.	6th
East half	19	10	19 E.	6th	Section	36	10	20 E.	6th
West half	20	10	19 E.	6th	Section	8	10	21 E.	6th
Section	22	10	19 E.	6th	Section	10	10	21 E.	6th
East half	23	10	19 E.	6th	Section	12	10	21 E.	6th
Section	24	10	19 E.	6th	Section	13	10	21 E.	6th

DESCRIPTION.	Section.	Township.	Range.	Meridian.	DESCRIPTION.	Section.	Township.	Range.	Meridian.
Section	15	10	21 E.	P. M. 6th	East half	33	11	19 E.	P. M. 6th
Section	17	10	21 E.	6th	West half	34	11	19 E.	6th
Section	19	10	21 E.	6th	North half	35	11	19 E.	6th
Section	21	10	21 E.	6th	Section	36	11	19 E.	6th
Section	23	10	21 E.	6th	South half	1	11	20 E.	6th
Section	25	10	21 E.	6th	South half	2	11	20 E.	6th
Section	27	10	21 E.	6th	South half	3	11	20 E.	6th
Section	29	10	21 E.	6th	South half	4	11	20 E.	6th
Section	31	10	21 E.	6th	East half	7	11	20 E.	6th
Section	33	10	21 E.	6th	South half	8	11	20 E.	6th
Section	35	10	21 E.	6th	South half	9	11	20 E.	6th
Section	7	10	22 E.	6th	N. W. quarter ..	13	11	20 E.	6th
Section	9	10	22 E.	6th	S. W. quarter ..	15	11	20 E.	6th
Section	11	10	22 E.	6th	North half	17	11	20 E.	6th
Section	13	10	22 E.	6th	East half	18	11	20 E.	6th
Section	15	10	22 E.	6th	East half	19	11	20 E.	6th
Section	17	10	22 E.	6th	North half	20	11	20 E.	6th
Section	19	10	22 E.	6th	West half	21	11	20 E.	6th
Section	21	10	22 E.	6th	East half	22	11	20 E.	6th
Section	23	10	22 E.	6th	South half	23	11	20 E.	6th
Section	25	10	22 E.	6th	South half	24	11	20 E.	6th
Section	27	10	21 E.	6th	Section	25	11	20 E.	6th
Section	29	10	22 E.	6th	South half	26	11	20 E.	6th
Section	31	10	22 E.	6th	East half	27	11	20 E.	6th
Section	33	10	22 E.	6th	East half	33	11	20 E.	6th
Section	35	10	22 E.	6th	Section	34	11	20 E.	6th
Section	7	10	23 E.	6th	Section	36	11	20 E.	6th
Section	9	10	23 E.	6th	South half	1	11	21 E.	6th
Section	11	10	23 E.	6th	South half	3	11	21 E.	6th
Section	19	10	23 E.	6th	South half	5	11	21 E.	6th
South half	1	11	17 E.	6th	East half	7	11	21 E.	6th
South half	12	11	17 E.	6th	Section	8	11	21 E.	6th
North half	13	11	17 E.	6th	Section	10	11	21 E.	6th
South half	24	11	17 E.	6th	Section	12	11	21 E.	6th
South half	2	11	18 E.	6th	South half	13	11	21 E.	6th
South half	4	11	18 E.	6th	Section	14	11	21 E.	6th
East half	6	11	18 E.	6th	West half	15	11	21 E.	6th
East half	7	11	18 E.	6th	Section	17	11	21 E.	6th
Section	8	11	18 E.	6th	East half	18	11	21 E.	6th
Section	10	11	18 E.	6th	East half	19	11	21 E.	6th
Section	12	11	18 E.	6th	East half	20	11	21 E.	6th
Section	14	11	18 E.	6th	West half	21	11	21 E.	6th
West half	15	11	18 E.	6th	Section	22	11	21 E.	6th
East half	17	11	18 E.	6th	South half	27	11	21 E.	6th
East half	18	11	18 E.	6th	Section	28	11	21 E.	6th
West half	20	11	18 E.	6th	West half	29	11	21 E.	6th
East half	22	11	18 E.	6th	East half	30	11	21 E.	6th
West half	23	11	18 E.	6th	East half	31	11	21 E.	6th
West half	24	11	18 E.	6th	Section	32	11	21 E.	6th
East half	25	11	18 E.	6th	Section	34	11	21 E.	6th
South half	1	11	19 E.	6th	Section	3	11	22 E.	6th
South half	3	11	19 E.	6th	Section	5	11	22 E.	6th
South half	5	11	19 E.	6th	East half	7	11	22 E.	6th
East half	7	11	19 E.	6th	West half	8	11	22 E.	6th
Section	9	11	19 E.	6th	Section	9	11	22 E.	6th
Section	11	11	19 E.	6th	Section	15	11	22 E.	6th
Section	13	11	19 E.	6th	Section	17	11	22 E.	6th
Section	15	11	19 E.	6th	East half	18	11	22 E.	6th
Section	17	11	19 E.	6th	Section	1	12	19 E.	6th
East half	18	11	19 E.	6th	East half	2	12	19 E.	6th
East half	19	11	19 E.	6th	South half	12	12	19 E.	6th
Section	21	11	19 E.	6th	N. E. quarter ..	13	12	19 E.	6th
Section	23	11	19 E.	6th	Section	1	12	20 E.	6th
Section	25	11	19 E.	6th	Section	3	12	20 E.	6th
East half	24	11	19 E.	6th	Section	5	12	20 E.	6th
Section	27	11	19 E.	6th	East half	6	12	20 E.	6th
Section	29	11	19 E.	6th	East half	7	12	20 E.	6th
East half	30	11	19 E.	6th	Section	9	12	20 E.	6th

List of lands.

DESCRIPTION.	Section.	Township.	Range.	Meridian.	DESCRIPTION.	Section.	Township.	Range.	Meridian.
Section	11	12	20 E.	P. M. 6th	East half.....	19	12	20 E.	P. M. 6th
Section	12	12	20 E.	6th	Section	21	12	20 E.	6th
Section	14	12	20 E.	6th	North half	29	12	20 E.	6th
East half.....	15	12	20 E.	6th	S. E. quarter....	21	12	20 E.	6th
East half.....	18	12	20 E.	6th	Section	16	12	20 E.	6th

156¼ sections, or 100,000 acres.

When United States may take possession.

And immediately on such failure, the United States may take possession of and sell said lands for the exclusive benefit of said Delaware Indians.

And in case said company shall forfeit the one hundred thousand (100,000) acres above described, it shall thereupon also forfeit all its right and title to all the lands purchased by it from said Indians, not earned and patented at the date of such forfeiture.

Company entitled to patent.

And said company further agree that, on the completion of the first section of said road, it shall only be entitled to a patent for one half of the lands not pledged for the payment of said bonds; and on the completion of said second section it shall have a patent for only the remaining half; and that no patent shall issue to it for any of the lands so pledged, until after said bonds and the interest warrants attached shall all and every part of them have been fully and promptly paid and cancelled.

In witness whereof, the said Leavenworth, Pawnee, and Western Railroad Company, by Thomas Ewing, Jr., their agent aforesaid, have executed this instrument and attached thereto the seal of said company, this 2d day of July, 1861.

[SEAL.] The Leavenworth, Pawnee, and Western Railroad Company,
by their agent,

THOMAS EWING, Jr.

Acknowledgment.

State of Kansas, Leavenworth county, ss.

On this second day of July, A. D. 1861, before me, the undersigned authority, a Notary Public in and for the county aforesaid, in the State aforesaid, personally came Thomas Ewing, Jr., agent of the Leavenworth, Pawnee, and Western Railroad Company, to me personally known to be the identical person who signed the foregoing instrument of writing, and whose name is thereto affixed as grantor, and he acknowledged the same to be his own voluntary act and deed.

[SEAL.] Witness my hand and notarial seal, this 2d day of July,
A. D. 1861.

W. S. VAN DOREN, *Notary Public,*
Leavenworth county, Kansas.

Authority of agent of road to make conveyance.

At a called meeting of the Board of Directors of the Leavenworth, Pawnee, and Western Railroad Company, on Monday, July 1st, 1861, at the office of A. J. Isacks, in Leavenworth city, Kansas, was present, Jas. C. Stone, Amos Rees, Thomas Ewing, Jr., and Thomas S. Gladding.

Resolved, That Thomas Ewing, Jr., be authorized and directed, as agent of the company, to make, execute, and deliver to Archibald Williams, as agent of the United States, the bonds and interest warrants of the company for \$286,742¹⁵/₁₀₀, payable in ten years from their date, with 6 per cent. interest, payable annually, payable to the Commissioner of Indian Affairs, or bearer, at the office of the Assistant Treasurer of the United States in the city of New York; and also to make and execute

to the United States, and cause to be recorded and delivered to said Williams, as such agent, a mortgage of the company on the one hundred thousand acres of Delaware Indian lands, described in the letter of the Commissioner of Indian Affairs to the Secretary of the Interior, of May 29th, 1861; such mortgage to contain all the conditions prescribed in the paper signed by the President of the United States, of June 10th, 1861, the terms of which are hereby accepted by the company.

I hereby certify that at a meeting of the Board of Directors of the Leavenworth, Pawnee, and Western Railroad Company, held at the office of A. J. Isacks, in the city of Leavenworth, in the State of Kansas, on the 1st day of July, 1861, the foregoing proceedings were had and recorded on the journal of the company; and that the same is a true and correct transcript of the same from the journal of said company.

In testimony whereof, I hereunto sign my name and affix the official seal of the company.

[SEAL.]

THOS. S. GLADDING,
Secretary L. P. & W. R. R. Co.

Whereas, by the treaty of Sarcoxieville, amended by the United States Senate, and finally ratified by the President of the United States on the 22d day of August, 1860, a principal object of both parties was the construction of a certain contemplated railroad therein named; and to that end the Leavenworth, Pawnee, and Western Railroad Company were to pay into the United States Treasury, in gold or silver coin, a sum of money, afterwards ascertained to be \$286,742¹⁵/₁₀₀, as the appraised value of certain lands in Kansas belonging to the Delaware tribe of Indians; which sum of money, after expending a sufficient part of it to enable the Indians to commence agricultural pursuits under favorable circumstances, was to be, by the President for said Indians, invested in safe and profitable stocks: And whereas the said railroad company is not able to pay said sum of money within time, according to said treaty; and whereas the President is of opinion that it is not for the interest of either party that said object of the treaty shall fail, but not knowing what would be the desire of said Indians on this point, nor knowing whether any part of said sum would be needed to enable the Indians to commence agricultural pursuits under favorable circumstances, but supposing it probable that no part of it would be so needed, as said Indians now have over fifty thousand dollars lying idle in the United States Treasury: Therefore—

It is directed by the President that said Railroad Company may execute their bonds, with interest-warrants or coupons attached, according to the forms hereto annexed, the principal of which bonds shall amount to the aggregate sum of \$286,742¹⁵/₁₀₀, and deposit the same with Archibald Williams, of Kansas, hereby appointed to receive and receipt for the same, to be by him transmitted to the Commissioner of Indian Affairs for the use of said Indians; and also shall, in due and proper form, execute a mortgage upon one hundred thousand acres of the land contemplated in and by said treaty to aid in the construction of said railroad, the said one hundred thousand acres to be the lands designated in the letter of the Commissioner of Indian Affairs to the Secretary of the Interior, dated May 29, 1861; said mortgage to be conditioned for the full payment of said bonds, both as to interest and principal, and that on any failure to pay either when due all right and interest of said Railroad Company in and to said mortgaged land, and also to all such of said land not mortgaged as shall not at that time be earned and patented according to said treaty, shall be forfeited, and said land again become the absolute property of the United States in trust for said Indians; and said mortgaged lands to be in no event patented to said _____ until said bonds, principal

Railroad company to execute bonds and mortgage.

TREATY WITH THE DELAWARES. JULY 2, 1861.

and interest, shall be fully paid. And upon said bonds being so made and deposited, and said mortgage being so executed and duly recorded in Leavenworth county, Kansas, all matters, so far as not necessarily varied by this arrangement, shall proceed in conformity to said treaty, as if the money had been paid by said Railroad Company and had been invested by the President in said railroad bonds: *Provided always*, that this arrangement shall be of no effect until Archibald Williams, Judge of the United States Court for the District of Kansas, shall have endorsed a certificate upon this paper that he has carefully examined the same, and also the bonds and mortgage offered in compliance with its provisions, and has found that bonds and mortgage do in fact comply with and fulfil said provisions; and also that he has had before him the chiefs and headmen named in said treaty, as John Connor, Sar-cox-ie, Ne-con-he-con, and Rock-a-to-wha, and has fully explained to them the nature and effect of this departure from the terms of said treaty, and that they freely assented to the same.

ABRAHAM LINCOLN.

JUNE 10, 1861.

Form of Bond.

Form of Bond.

\$10,000.

No. 1.

Know all men by these presents: That the Leavenworth, Pawnee, and Western Railroad Company is held and bound to the United States, as trustee for the Delaware tribe of Indians, in the sum of ten thousand dollars, to be paid to the Commissioner of Indian Affairs, or bearer, at the office of the Assistant Treasurer of the United States, in the city of New York, in ten years from the date hereof, on the surrender of this bond, with interest on said sum from the same date, at six per cent. per annum, payable annually at the same office, on the surrender, as they severally fall due, of the annexed interest warrants. This bond being one of twenty-nine bonds for sums amounting in the aggregate to \$290,560, the payment of which, with the interest warrants attached, is secured by mortgage of even date herewith on one hundred thousand acres of the land acquired by said company, under the conditions and provisions of the treaty between the United States and the Delaware tribe of Indians of May 30, 1860.

In witness whereof the Leavenworth, Pawnee, and Western Railroad Company, by Thomas Ewing, Jr., their agent, have signed this obligation, and have attached thereto their corporate seal this 14th day of May, 1861.

[SEAL.] The Leavenworth, Pawnee, and Western Railroad Company,
by

THOMAS EWING, Jr.,
Their Agent.

Of Warrant.

Form of Warrant.

The Leavenworth, Pawnee, and Western Railroad Company promises to pay to the Commissioner of Indian Affairs of the United States or bearer, on the 14th day of May, 1862, at the office of the Assistant Treasurer of the United States, in the city of New York, six hundred dollars, interest due that day on their bond No. 1.

The Leavenworth, Pawnee, and Western Railroad Company,
by

THOMAS EWING, Jr.,
Their Agent.

Office of Register of Deeds, County of Leavenworth, State of Kansas, ss.

Certificate of
register of deeds,

I, W. S. Van Doren, Register of Deeds within and for the county aforesaid, do hereby certify that the within and foregoing instruments of writing were received by me for record this second day of July, A. D. 1861, at 3½ o'clock p. m., and that the same are duly recorded in Book P, for recording mortgages, at page 230, &c.

[SEAL.] In testimony whereof, I have hereunto set my hand and official seal of office, the day and year aforesaid.

W. S. VAN DOREN, *Register of Deeds.*

I, Archibald Williams, judge of the United States court for the district of Kansas, do hereby certify that I have carefully examined the within paper signed by the President of the United [States,] and have also examined and approved the bonds and mortgage offered by the Leavenworth, Pawnee, and Western Railroad Company in compliance with its provisions, and have accepted said bonds and mortgage, and receipted to said company for the same, as agent of the United States, and caused said mortgage to be duly recorded in the office of the Recorder of Deeds for Leavenworth county, Kansas.

of Judge of
District Court.

And I do further certify, that I have had before me the chiefs and headmen therein named, as John Connor, Sar-cox-ie, and Ne-con-he-con, and also James Connor, who was the delegate at large of said tribe, in making the treaty of 1860, and read to them the said paper signed by the President, and fully explained to them the nature and effect of the proposition set forth in said paper; and that, after they had fully discussed the proposition, John Connor, in English, and James Connor, Sar-cox-ie, and Ne-con-he-con, through the said John Connor and other interpreters, declared that they understood it thoroughly, and each freely assented to the same; and that evidence has been presented to me by John Connor and other chiefs of said tribe, by which I am satisfied that Rock-a-to-wha died several months ago, and that no chief has been appointed in his place.

Given under my hand at Leavenworth city, Kansas, this 2d day of July, 1861.

ARCHIBALD WILLIAMS.

And whereas the said treaty or agreement having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the sixth of August, one thousand eight hundred and sixty-one, advise and consent to the ratification of the same by a resolution, and with amendments, in the words and figures following, to wit:

Ratification.

"IN EXECUTIVE SESSION,

"SENATE OF THE UNITED STATES, August 6, 1861.

"Resolved, (two-thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty or agreement between the United States of America and the Delaware tribe of Indians relative to certain lands of that tribe conveyed to the Leavenworth, Pawnee, and Western Railroad Company, and to bonds executed to the United States by the said company for the payment of the said Indians, done the second day of July, eighteen hundred and sixty-one:

"Provided, That the provisions of this treaty shall not be held to apply to any lands not heretofore surveyed and appraised and not included within the limits of said reserve, nor any lands included in any fort or reservation for military purposes:

"Provided further, That if twenty-five miles of said railroad, from

Leavenworth city westwardly, is not completed and equipped within *five* years from the ratification hereof, said company shall thereupon forfeit all right, title, and interest, legal and equitable, in and to all and every part of said lands; and if the remaining section to the western boundary of the said reserve be not completed and equipped within *three years* from the date fixed for the completion of said first section, said company shall thereupon forfeit all right, title, and interest, legal and equitable, in and to all of said lands not theretofore earned and patented.

"*Provided further*, That in the event of a failure of the said Railroad Company to pay the annual interest accruing upon the bonds, secured as above, within thirty days after the same falls due at the end of any year, then and in such case the contract included in this treaty shall be rescinded and shall be of no binding efficacy upon either party thereto.

"*Provided further*, That no part of said lands shall be patented to said Railroad Company until the money price for such part shall have been fully paid therefor.

"*And provided*, That this treaty shall not go into operation and be binding on them until accepted by the Indians thus amended.

"Attest:

J. W. FORNEY, *Secretary.*"

And whereas WILLIAM P. DOLE, commissioner of Indian affairs, was designated by the Executive to present the treaty, as above amended, to the Indians, through their chiefs and headmen, for their acceptance, and to take such acceptance, if freely given, with the signatures of said Indian chiefs and headmen, and to certify his proceedings therein to the Executive; and the foregoing amendments having been fully interpreted and explained to the chiefs and headmen of the Delaware tribe aforesaid, they did thereunto, on the second day of September, one thousand eight hundred and sixty-one, give their free and voluntary assent in the words and figures following, to wit:

We, the undersigned, chiefs, councillors, and headmen of the Delaware tribe of Indians, acting for and on behalf of said tribe, this day in full council assembled, having had read and carefully explained and interpreted to us the within and foregoing treaty or agreement between the United States of America and the Delaware tribe of Indians, concluded on [the] 2d day of July, 1861, together with the within and foregoing amendments thereto, made by the Senate of the United States on the 6th day of August, 1861, do hereby accept and consent to said treaty as so amended.

In witness whereof, we have hereunto set our hands and affixed our seals this 2d day of September, 1861.

JOHN CONNOR, Head Chief, his x mark. [L. s.]

NE-CON-HE-CON, Chief of the Wolf Band, his x mark. [L. s.]

SAR-COX-IE, Chief of the Turtle Band, his x mark. [L. s.]

JAMES CONNOR, Delegate, his x mark. [L. s.]

CHARLES JOURNEYCAKE. [L. s.]

Signed and sealed in presence of—

ISAAC GOLMARKE, *U. S. Int.*

F. JOHNSON.

H. B. BRANCH, } (As to Sar-cox-ie.)

W. G. COFFIN, }

I hereby certify that the foregoing treaty or agreement between the United States and the Delaware tribe of Indians, concluded on the 2d day of July, 1861, together with the foregoing amendments thereto, made by

the Senate of the United States on the 6th day of August, 1861, were read and fully explained by me to said Indians, except Sar-cox-ie, through Isaac Journeycake, the United States interpreter, and to Sar-cox-ie through Charles Journeycake; and that the delegate, chiefs, councillors, and headmen above named, on behalf of said tribe, this day, in council assembled, did freely accept and consent to said treaty, together with said amendments, and subscribed their names and affixed their seals thereto in my presence.

Given under my hand this 2d September, 1861.

WM. P. DOLE, *Commissioner Indian Affairs.*

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the sixth of August, one thousand eight hundred and sixty-one, accept, ratify, and confirm said treaty, with the amendments, as aforesaid.

Ratification.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, having signed the same with my hand.

Done at the city of Washington, this fourth day of October, in the year of our Lord one thousand eight hundred and sixty-one, and of the Independence of the United States the eighty-sixth.

[L. s.]

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the King of Hanover, concerning the Abolition of the Stade or Brunshausen Dues. Concluded November 6th, 1861. Ratifications exchanged at Berlin, April 29th, 1862. Proclaimed by the President of the United States, June 17th, 1862. Nov. 6, 1861.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

WHEREAS a special Treaty between the United States of America, and his Majesty the King of Hanover, concerning the abolition of the Stade or Brunshausen Dues, was concluded and signed by their respective Plenipotentiaries at Berlin, on the 6th day of November last, which Treaty is word for word as follows: Preamble.

Special Treaty concerning the Abolition of the Stade or Brunshausen Dues.

The United States of America and his Majesty the King of Hanover, equally animated by the desire to increase and facilitate the relations of commerce and navigation between the two countries, have resolved to conclude a special treaty, to the end to free the navigation of the Elbe from the tolls known under the designation of the Stade or Brunshausen dues, and have for that purpose conferred full powers: the President of the United States of America upon Mr. Norman B. Judd, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Prussia, and his Majesty the King of Hanover upon his Envoy Extraordinary and Minister Plenipotentiary at the Royal Prussian Court, the Lieutenant Colonel and Extraordinary Aide-de-Camp, Mr. August Wilhelm Von Reitzenstein, Knight Commander of the second class of the Royal Guelphic Order, etc., who, after having exchanged their full powers, and having found them to be in due and proper form, have concluded the following articles: Contracting parties.

ARTICLE I. His Majesty the King of Hanover assumes towards the United States of America, who accept the same, the obligation —

1. To abolish completely and forever the toll hitherto levied on the cargoes of American vessels ascending the Elbe, and passing the mouth of the river called Schwinge, designated under the name of the Stade or Brunshausen dues; Stade or Brunshausen dues to be abolished;

2. To levy no toll of any kind, of whatever nature it may be, upon the hulls or cargoes of American vessels ascending or descending the Elbe, in place of those dues, the abolition of which is agreed upon in the preceding paragraph;

3. Nor to subject hereafter, under any pretext whatever, American vessels ascending or descending the Elbe to any measure of control regarding the dues that are hereby abolished. and not to be renewed.

ARTICLE II. His Majesty the King of Hanover obligates himself moreover to the United States of America —

1. To provide as hitherto, and to the extent of the existing obligations, for the maintenance of the works that are necessary to the free navigation of the Elbe; Works necessary to free navigation of the Elbe to be maintained without charge upon American vessels.

2. Not to impose, as a compensation for the expenses resulting from the execution of this obligation, upon the American marine any charge whatever, in lieu and place of the Stade or Brunshausen dues.

The United States to pay as indemnity 60,353 thalers.

ARTICLE III. By way of damage and compensation for the sacrifices imposed upon his Majesty the King of Hanover by the above stipulations, the United States of America agree to pay to his Majesty the King of Hanover, who accepts the same, the sum of sixty thousand three hundred and fifty-three thalers, Hanoverian currency, this being the proportional quota part of the United States in the general table of indemnification for the abolition of the Stade or Brunshausen dues.

Indemnity to be paid to, &c.

ARTICLE IV. The sum of sixty thousand three hundred and fifty-three thalers courant, stipulated in article III, shall be paid at Berlin into the hands of such person as shall have been authorized by his Majesty the King of Hanover to receive it, on the day of the exchange of ratifications as hereinafter provided.

Interest to be paid thereon.

In consideration of the fact that the stipulations contained in articles I and II have already been applied to the American flag since the first day of July, 1861, the United States of America agree to pay besides, and [at] the same time with the capital above named, the interest of that sum, at the rate of four per centum per annum, commencing with the first day of October, 1861.

Treaty to be executed as soon as possible.

ARTICLE V. The execution of the obligations contained in the present treaty is especially subordinated to the accomplishment of such formalities and rules as are established by the Constitutions of the high contracting Powers; and the compliance with these formalities and rules be brought about within the shortest delay possible.

Former treaty to remain in force, except article I, paragraph 3.

ARTICLE VI. The treaty of commerce and navigation concluded between the United States of America and his Majesty the King of Hanover, on the tenth day of June, 1846, shall continue to remain in force, with the exception of the stipulation contained in paragraph 3, article I, which shall cease to have effect after the present treaty shall have been ratified.

Ratifications, when to be exchanged.

ARTICLE VII. This treaty shall be approved and ratified, and the ratifications shall be exchanged at the city of Berlin within six months from the present date, or sooner, if possible.

In faith whereof, the respective Plenipotentiaries have signed the above articles, both in the English and German languages, and they have thereunto affixed their seals.

Date.

Done in duplicate at Berlin the sixth day of November, in the year of our Lord one thousand eight hundred and sixty-one, and the independence of the United States of America the eighty-sixth.

N. B. JUDD.

WILHELM AUGUST VON REITZENSTEIN.

[L. S.]
[L. S.]

Protocol.

PROTOCOL.

Dues to be maintained until, &c.

It remains understood that, until the execution of the stipulations contained in article V. and VII. of the treaty of to-day shall have taken place, the Hanoverian Government shall preserve the right, provisionally, by way of precaution, to maintain the dues which it has agreed to abolish. But as soon as the United States of America shall have fulfilled the stipulations therein mentioned, the Hanoverian Government shall order the discharge of that temporary measure of precaution, as regards merchandise transported in American vessels. Until, however, all the Powers, parties to the general treaty of the 22d day of June, 1861, concerning the abolition of the Stade or Brunshausen dues, shall have fulfilled the engagements contained in the articles VI. and VII. of the last named treaty, it shall have power to require of American vessels a proof of their nationality, without thereby causing them a delay or detention.

Done at Berlin, the 6th November, 1861.

N. B. JUDD.

WILHELM AUGUST VON REITZENSTEIN.

[L. S.]
[L. S.]

Proof of nationality of American vessels may be required until, &c.

And whereas the said Treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Berlin, on the twenty-ninth of April last, by Norman B. Judd, Envoy Extraordinary and Minister Plenipotentiary of the United States, and Baron August Wilhelm Von Reitzenstein, Envoy Extraordinary and Minister Plenipotentiary of his Majesty the King of Hanover, on the part of their respective Governments :

Exchange of
ratifications.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, have caused the said Treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclamation
by the President.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

[L. s.] Done in the city of Washington, this seventeenth day of June, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the eighty-sixth.

ABRAHAM LINCOLN.

By the President :

F. W. SEWARD, *Acting Secretary of State.*

A PROCLAMATION

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: Nov. 15, 1861.

WHEREAS a treaty was made and concluded at the Pottawatomic agency, on the Kansas River, in the State of Kansas, on the fifteenth day of November, one thousand eight hundred and sixty-one, between William W. Ross, commissioner on the part of the United States, and the chiefs, braves, and headmen of the Pottawatomic nation of Indians, on the part of said nation;

Preamble.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, by its resolution of the fifteenth day of April, one thousand eight hundred and sixty-two, advise and consent to the ratification of said treaty with certain amendments;

And whereas said nation of Indians did, on the seventeenth day of April, one thousand eight hundred and sixty-two, by a committee composed of Shawque, (chief,) To-penubbee, (chief,) We-weh-seh, (chief,) Me-yenco, (chief,) and Shomen, (brave,) appointed to transact all their national business between them and the agent of the United States and the Indian Department, and by Jos. N. Bourassa, George L. Young, B. H. Bertrand, M. B. Beaubien, L. H. Ogee, John Tipton, and Lewis View, in the presence of Clark W. Thompson, (Superintendent of Indian Affairs for the Northern Superintendency,) Lewis S. Hayden, John B. Gordon, and Elisha Goddard, give their free and voluntary assent to the amendments made by the Senate in the resolution aforesaid; which treaty, as amended by the Senate and assented to by said committee and others, is word for word as follows:

Contracting parties.

Articles of a treaty made and concluded at the agency on the Kansas River, on the fifteenth day of November, in the year of our Lord one thousand eight hundred and sixty-one, by and between Wm. W. Ross, commissioner on the part of the United States, and the undersigned chiefs, braves, and headmen of the Pottawatomic nation, on behalf of said nation.

ARTICLE I. The Pottawatomic tribe of Indians believing that it will contribute to the civilization of their people to dispose of a portion of their present reservation in Kansas, consisting of five hundred and seventy-six thousand acres, which was acquired by them for the sum of \$87,000, by the fourth article of the treaty between the United States and the said Pottawatomies, proclaimed by the President of the United States on the 23d day of July, 1846, and to allot lands in severalty to those of said tribe who have adopted the customs of the whites and desire to have separate tracts assigned to them, and to assign a portion of said reserve to those of the tribe who prefer to hold their lands in common: it is therefore agreed by the parties hereto that the Commissioner of Indian Affairs shall cause the whole of said reservation to be surveyed in the same manner as the public lands are surveyed, the expense whereof shall be paid out of the sales of lands hereinafter provided for, and the quantity of land hereinafter provided to be set apart to those of the tribe

Pottawatomies' reservation in Kansas to be disposed of,

to be surveyed,

Reservation to be set apart in severalty, remainder.

who desire to take their lands in severalty, and the quantity hereinafter provided to be set apart for the rest of the tribe in common; and the remainder of the land, after the special reservations hereinafter provided for shall have been made, to be sold for the benefit of said tribe.

Census of the tribe to be taken.

ARTICLE II. It shall be the duty of the agent of the United States for said tribe to take an accurate census of all the members of the tribe, and to classify them in separate lists, showing the names, ages, and numbers of those desiring lands in severalty, and of those desiring lands in common, designating chiefs and headmen, respectively; each adult choosing for himself or herself, and each head of a family for the minor children of such family, and the agent for orphans and persons of an unsound mind. And thereupon there shall be assigned, under the direction of the Commissioner of Indian Affairs, to each chief at the signing of the treaty, one section; to each headman, one half section; to each other head of a family, one quarter section; and to each other person

Assignments of land.

eighty acres of land, to include, in every case, as far as practicable, to each family, their improvements and a reasonable portion of timber, to be selected according to the legal subdivision of survey. When such assignments shall have been completed, certificates shall be issued by the Commissioner of Indian Affairs for the tracts assigned in severalty, specifying the names of the individuals to whom they have been assigned, respectively, and that said tracts are set apart for the perpetual and exclusive use and benefit of such assignees and their heirs. Until otherwise provided by law, such tracts shall be exempt from levy, taxation, or sale, and shall be alienable in fee or leased or otherwise disposed of only to the United States, or to persons then being members of the Pottawatomie tribe and of Indian blood, with the permission of the President, and under such regulations as the Secretary of the Interior shall provide, except as may be hereinafter provided. And on receipt of such certificates, the person to whom they are issued shall be deemed to have relinquished all right to any portion of the lands assigned to others in severalty, or to a portion of the tribe in common, and to the proceeds of sale of the same whensoever made.

Certificates to be issued.

Exemption from levy, &c.

To whom lands may be sold, &c.

Receipt of certificates to be relinquished, &c.

The President may cause lands to be granted in fee to certain male adults,

and payments to be made.

Such persons to become citizens and to cease to be members of tribe,

to take oath of allegiance.

Undivided quantities to be

ARTICLE III. At any time hereafter when the President of the United States shall have become satisfied that any adults, being males and heads of families, who may be allottees under the provisions of the foregoing article, are sufficiently intelligent and prudent to control their affairs and interests, he may, at the requests of such persons, cause the lands severally held by them to be conveyed to them by patent in fee simple, with power of alienation; and may, at the same time, cause to be paid to them, in cash or in the bonds of the United States, their proportion of the cash value of the credits of the tribe, principal and interest, then held in trust by the United States, and also, as the same may be received, their proportion of the proceeds of the sale of lands under the provisions of this treaty. And on such patents being issued and such payments ordered to be made by the President, such competent persons shall cease to be members of said tribe, and shall become citizens of the United States; and thereafter the lands so patented to them shall be subject to levy, taxation, and sale, in like manner with the property of other citizens: *Provided*, That, before making any such application to the President, they shall appear in open court in the district court of the United States for the District of Kansas, and make the same proof and take the same oath of allegiance as is provided by law for the naturalization of aliens, and shall also make proof to the satisfaction of said court that they are sufficiently intelligent and prudent to control their affairs and interests, that they have adopted the habits of civilized life, and have been able to support, for at least five years, themselves and families.

ARTICLE IV. To those members of said tribe who desire to hold their lands in common there shall be set apart an undivided quantity suf-

ficient to allow one section to each chief, one half section to each head-man, and one hundred and sixty acres to each other head of a family, and eighty acres of land to each other person, and said land shall be held by that portion of the tribe for whom it is set apart by the same tenure as the whole reserve has been held by all of said tribe under the treaty of one thousand eight hundred and forty-six. And upon such land being assigned in common, the persons to whom it is assigned shall be held to have relinquished all title to the lands assigned in severalty and in the proceeds of sales thereof whenever made.

ARTICLE V. The Pottawatomies believing that the construction of the Leavenworth, Pawnee, and Western railroad from Leavenworth City to the western boundary of the former reserve of the Delawares is now rendered reasonably certain, and being desirous to have said railroad extended through their reserve, in the direction of Fort Riley, so that the value of the lands retained by them may be enhanced, and the means afforded them of getting the surplus product of their farms to market, it is provided that the Leavenworth, Pawnee, and Western Railroad Company shall have the privilege of buying the remainder of their lands within six months after the tracts herein otherwise disposed of shall have been selected and set apart, provided they purchase the whole of such surplus lands at the rate of one dollar and twenty-five cents per acre.

And if said company make such purchase it shall be subject to the considerations following, to wit: They shall construct and fully equip a good and efficient railroad from Leavenworth City to a point half-way between the western boundary of the said former Delaware reserve and the western boundary of the said Pottawatomie reserve, (being the first section of said road,) within six years from the date of such purchase, and shall construct and fully equip such road from said last-named point to the western boundary of said Pottawatomie reserve, (being the second section of said road,) within three years from the date fixed for the completion of said first section; and no patent or patents shall issue to said company or its assigns for any of said lands purchased until the first section of said railroad shall have been completed and equipped, and then for not more than half of said lands, and no patent or patents shall issue to said company or its assigns for any of the remaining portion of said lands until said second section of said railroad shall have been completed and equipped as aforesaid; and before any patents shall issue for any part of said lands payment shall be made for the lands to be patented at the rate of one dollar and twenty-five cents per acre; and said company shall pay the whole amount of the purchase-money for said lands in gold or silver coin, to the Secretary of the Interior of the United States, in trust for said Pottawatomie Indians, within nine years from the date of such purchase, and shall also in like manner pay to the Secretary of the Interior of the United States, in trust as aforesaid, each and every year, until the whole purchase-money shall have been paid, interest from date of purchase, at six per cent. per annum, on all the purchase-money remaining unpaid.

And if said company shall fail to complete either section of such railroad in a good and efficient manner, or shall fail to pay the whole of the purchase-money for said land within the times above prescribed, or shall fail to pay all or any part of the interest upon said purchase-money each year as aforesaid within thirty days from the date when such payment of interest shall fall due, then the contract or purchase shall be deemed and held absolutely null and void, and shall cease to be binding on either of the parties thereto, and said company and its assigns shall forfeit all payments of principal and interest made on such purchase, and all right and title, legal and equitable, of any kind whatsoever, in and to all and every part of said lands which shall not have been before the date of such forfeiture earned and patented pursuant to the provisions of this treaty.

set out to those,
&c.

The Leavenworth, Pawnee, and Western railroad may purchase certain land.

Price.

Terms of purchase.

Patents to contain condition. And whenever any patent shall issue to said railroad company for any part of said lands, it shall contain the condition that the said company shall sell the land described in such patent, except so much as shall be necessary for the working of the road, within five years from the issuing of such patent.

Right of way. And said company shall have the perpetual right of way over the lands of the Pottawatomies not sold to it for the construction and operation of said railroad, not exceeding one hundred feet in width, and the right to enter on said lands and take and use such gravel, stone, earth, water, and other material, except timber, as may be necessary for the construction and operation of said road, making compensation for any damages to improvements done in obtaining such material, and for any damages arising from the location or running of said road to improvements made before the road is located. Such damages and compensation, in cases where said company and the persons whose improvements are injured or property taken cannot agree, to be ascertained and adjusted under the direction of the Commissioner of Indian Affairs. And in case said company shall not promptly pay the amount of such damages and compensation, the Secretary of the Interior may withhold patents for any part of the lands purchased by them until payment be made of the amount of such damages, with six per cent. interest thereon from the date when the same shall have been ascertained and demanded.

Damages, &c. And in case said company shall not purchase said surplus lands, or, having purchased, shall forfeit the whole or any part thereof, the Secretary of the Interior shall thereupon cause the same to be appraised at not less than one dollar and twenty-five cents per acre, and shall sell the same, in quantities not exceeding one hundred and sixty acres, at auction to the highest bidder for cash, at not less than such appraised value.

In case the railroad company shall forfeit any lands, &c. **Conveyance of land to John F. Diel, John Summacker, and M. Gerillain in trust for school and church purposes for Catholic Mission.** **Condition.** **Reservation for Baptist Mission.** **ARTICLE VI.** There shall be selected by the Commissioner of Indian Affairs three hundred and twenty acres of land, including the church, school-houses, and fields of the St. Mary's Catholic Mission, but not including the buildings and enclosures occupied and used by persons other than those connected with the mission, without the consent of such persons, which shall be conveyed by the Secretary of the Interior to John F. Diel, John Summacker, and M. Gerillain, as trustees for the use of the society under whose patronage and control the church and school have been conducted within the last fourteen years; on condition, however, that, so long as the Pottawatomie nation shall continue to occupy its present reservation, or any portion thereof, the said land shall be used and its products devoted exclusively to the maintenance of a school and church for their benefit. And there shall be reserved and conveyed in like manner, and upon like conditions, three hundred and twenty acres of land, including the Baptist Mission buildings and enclosures, such conveyances to be made to such persons as may be designated by the Baptist Board of Missions.

Annual interest of improvement fund, **ARTICLE VII.** By article eight of the treaty of June 5th, 1846, between the United States and the Pottawatomie Indians, it is stipulated "that the annual interest of their improvement fund shall be paid out promptly and fully for their benefit at their new homes. If, however, at any time thereafter, the President of the United States shall be of opinion that it would be advantageous to the Pottawatomie nation, and they should request the same to be done, to pay them the interest of said money in lieu of the employment of persons, or the purchase of implements or machines, he is hereby authorized to pay the same, or any part thereof, in money, as their annuities are paid, at the time of the general payment of annuities."

how hereafter to be paid. It is hereby agreed that the interest arising from said improvement fund shall, in all cases hereafter, be paid in such machines and implements as will be useful to the people in their agricultural pursuits, as

long as the nation shall desire it to be done, except that the shops and mechanics and physicians, now sustained by the funds of the nation, shall continue to be maintained, as at this time, for one year after this treaty shall have been ratified.

ARTICLE VIII. If at any time hereafter any band or bands of the Pottawatomie nation shall desire to remove from the homes provided for them in this treaty, it shall be the duty of the Secretary of the Interior to have their proportionate part of the lands which may be assigned to the tribe appraised and sold, and invest such portion of the proceeds thereof as may be necessary in the purchase of a new home for such band or bands, leaving the remainder, should any remain after paying the expense of their removal, to be invested in six per cent. bonds of the United States, for the benefit of such band or bands. Such band or bands so removed shall continue to receive their proportion of the annuities of the tribe.

Provision if any bands desire to remove.

ARTICLE IX. No provision of this treaty shall be so construed as to invalidate any claim heretofore preferred by the Pottawatomies against the United States arising out of previous treaties.

Former claims to hold good.

ARTICLE X. It is hereby agreed that the Commissioner of Indian Affairs shall set apart, for the benefit of said allottees, their equal pro rata share of the improvement fund of the tribe, which sum so set apart may be expended in whole or in part by the said Commissioner, and under his direction, for agricultural purposes, as he shall from time to time deem expedient and for the welfare of the said Indians.

Agricultural purposes.

ARTICLE XI. Should the Senate reject or amend any of the above articles such rejection or amendment shall not affect the other provisions of this treaty, but the same shall go into effect when ratified by the Senate and approved by the President.

When articles of treaty to take effect.

WM. W. ROSS,

Commissioner on behalf of United States.

SHAW-GUEE, (chief,)	his x mark.
WE-WE-SAY, (chief,)	his x mark.
JOS. LAFROMBOISE, (chief,)	his x mark.
MU-ZHE, (chief,)	his x mark.
MKOME-DA, (chief,)	his x mark.
MYEAN-KO, (speaker,)	his x mark.
A. B. BURNETT.	
N-WA-KTO, (brave,)	his x mark.
WAH-BEA-SHKUK,	his x mark.
SHO-NIM, (brave,)	his x mark.
PAUCE-JE-YAH, (chief,)	his x mark.
KA-PSHKUH-WID, (brave,)	his x mark.
MUIS-NO-OGIH-MAH,	his x mark.
KA-ME-GAS,	his x mark.
MO-ZO-BA-NET,	his x mark.
WAH-SAH-TO, (chief,)	his x mark.
SHAW-WE, (chief,)	his x mark.
BOURIE,	his x mark.
NAH-NEAM-NUK-SHKUK,	his x mark.
PA-MAH-ME,	his x mark.
KAH-DOT,	his x mark.
MINK,	his x mark.
PETER THE GREAT,	his x mark.
M-TOM-MA, (brave,)	his x mark.
ZA-KTO,	his x mark.
AIN-NA-BY-AH,	his x mark.

WAH-SHA,	his x mark.
WHITE,	his x mark.
WAH-NUK-KE	his x mark.
BAH-BE-JMAH,	his x mark.
ONAK-SA, (second.)	his x mark.
NOM-MAH-KSHKUK,	his x mark.
THOMAS EVANS.	
PETER MOOSE,	his x mark.
JAS. LEVIA,	his x mark.
TQUAH-KET,	his x mark.
WAHS-MEG-GUEA,	his x mark.
PAME-BO-GO,	his x mark.
A-YEA-NAH-BE,	his x mark.
NAH-DUEA,	his x mark.
NAU-WAH-GA,	his x mark.
PAHS-KAH-WE,	his x mark.
WAHB-NA-MID,	his x mark.
MOZ-WA-NWAH,	his x mark.
THOS. L. McKENNEY.	
ZA-GAH-KNUK,	his x mark.
CHE-GUEAH-MKUH-GO, (brave,)	his x mark.
AIN-WAISH-KE,	his x mark.
MSQUAH-MKE,	his x mark.
MKO-NUIH,	his x mark.
OKETCH-GUM-ME,	his x mark.
WE-ZOS,	his x mark.
A-SAH-SAHNG-GAH,	his x mark.
BUCK,	his x mark.
M. B. BEAUBIEN.	
L. H. OGEE.	
LEWIS VIEW,	his x mark.
B. H. BERTRAND.	
SHOP-KUK, (speaker,)	his x mark.
GEORGE FORTIER.	his x mark.
ODAH-WAHS,	his x mark.
LITTLE AMERICAN,	his x mark.
PUK-KE,	his x mark.
NAH-GE-ZHICK,	his x mark.
OKETCH-GUM-ME,	his x mark.
JE-GUEAH-KYAH,	his x mark.
BAPT. LeCLERE,	his x mark.
LEON BERTRAND,	his x mark.
BZUG-NAH,	his x mark.
BEAU-MO,	his x mark.
KE-YO-KUM,	his x mark.
MUK-KOSE,	his x mark.
WA-ME-GO,	his x mark.
KA-BEAME-SA,	his x mark.
ONAK-SA,	his x mark.
FRANK BOURBONNIE,	his x mark.
BESCUE BOURBONNIE,	his x mark.
ELI G. NADEAU.	
CHARLES VIEAN.	
TO-TO-QUA,	her x mark.
MESSAH,	her x mark.
OTTER-WOMAN,	her x mark.
MARY JUTIONS,	her x mark.
PNAH-ZUEA,	her x mark.

LOUIS BLACKBIRD,
 JOS. N. BOURASSA, *U. S. Inter'r.*

his x mark.

Signed in presence of,—

L. R. PALMER.
 S. M. FERGUSON.
 C. N. GRAY.
 JOHN D. LUSBY.

Ratification.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, having seen the aforesaid amendments of the Senate, and the assent thereto of the said committee and others of the Pottawatomie nation of Indians, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the fifteenth day of April, one thousand eight hundred and sixty-two, accept, ratify, and confirm said treaty with the amendments as aforesaid.

Signature

In testimony whereof I have caused the seal of the United States to be hereto affixed, having signed the same with my hand.

Done at the city of Washington, this nineteenth day of April, in the year of our Lord one thousand eight hundred and sixty-two,
 [L. s.] and of the Independence of the United States the eighty-sixth.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Republic of Mexico for the Extradition of Criminals. Concluded at Mexico, December 11, 1861. Ratifications exchanged at Mexico, May 20, 1862. Proclaimed by the President of the United States, June 20, 1862.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: December 11,
1861.

A PROCLAMATION.

WHEREAS a treaty between the United States of America and the Republic of Mexico, for the extradition of criminals, was concluded and signed at the city of Mexico on the eleventh day of December, one thousand eight hundred and sixty-one, which treaty, as amended by the Senate of the United States, and being in the English and Spanish languages, is word for word, as follows :

Preamble.

Treaty between the United States of America and the United Mexican States for the Extradition of Criminals.

Tratado entre los Estados Unidos Mexicanos y los Estados Unidos de América para la extradición de criminales.

The United States of America and the United Mexican States, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within their respective territories and jurisdictions, that persons charged with the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have resolved to conclude a treaty for this purpose, and have named as their respective plenipotentiaries, that is to say :

Los Estados Unidos Mexicanos y los Estados Unidos de América habiendo juzgado conveniente para la mejor administración de justicia y para evitar crímenes dentro de sus respectivos territorios y jurisdicciones, que las personas acusadas de los crímenes que se enumeran en seguida, siendo fugitivas de la justicia, sean bajo ciertas circunstancias recíprocamente entregadas, han determinado celebrar un Tratado con tal objeto, y han nombrado como sus respectivos Plenipotenciarios, á saber :

The President of the United States of America has appointed Thomas Corwin, a citizen of the United States, and their Envoy Extraordinary and Minister Plenipotentiary near the Mexican Government; and the President of the United Mexican States has appointed Sebastian Lerdo de Tejada, a citizen of the said States, and a Deputy of the Congress of the Union, who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles :

El Presidente de los Estados Unidos Mexicanos, á Sebastian Lerdo de Tejada, ciudadano de los mismos Estados y Diputado al Congreso de la Union; y El Presidente de los Estados Unidos de América á Tomas Corwin, ciudadano de los Estados Unidos y su Enviado Extraordinario y Ministro Plenipotenciario cerca del Gobierno Mexicano. Quienes, despues de haberse comunicado recíprocamente sus respectivos plenos poderes, hallándolos en buena y debida forma, han convenido en los artículos siguientes :

Plenipotentiaries.

ARTICLE I.

Persons accused of certain crimes, committed, &c. to be delivered up on requisition.

What proof required.

It is agreed that the contracting parties shall, on requisitions made in their name, through the medium of their respective diplomatic agents, deliver up to justice persons who, being accused of the crimes enumerated in article third of the present treaty, committed within the jurisdiction of the requiring party, shall seek an asylum, or shall be found within the territories of the other: *Provided*, That this shall be done only when the fact of the commission of the crime shall be so established as that the laws of the country in which the fugitive or the person so accused shall be found, would justify his or her apprehension and commitment for trial if the crime had been there committed.

ARTICLE II.

Crimes committed in the frontier States of either nation, requisition how made.

In the case of crimes committed in the frontier States or Territories of the two contracting parties, requisitions may be made through their respective diplomatic agents, or through the chief civil authority of said States or Territories, or through such chief civil or judicial authority of the districts or counties bordering on the frontier as may for this purpose be duly authorized by the said chief civil authority of the said frontier States or Territories, or when, from any cause, the civil authority of such State or Territory shall be suspended, through the chief military officer in command of such State or Territory.

ARTICLE III.

Crimes for which delivery is to be made.

Persons shall be so delivered up who shall be charged, according to the provisions of this treaty, with any of the following crimes, whether as principals, accessories, or accomplices, to wit: Murder, (including assassination, parricide, infanticide, and poisoning;) assault with intent to commit murder; mutilation; piracy; arson; rape; kidnapping, defining the same to be

ARTICULO I.

Conviene las partes contratantes en que haciéndose la requisición en su nombre, por medio de sus agentes diplomáticos respectivos, entregarán á la justicia las personas acusadas de los crímenes enumerados en el artículo tercero de este Tratado, cometidos dentro de la jurisdicción de la parte demandante, y que hayan buscado asilo ó se encuentren dentro de los territorios de la otra.

Bien entendido, que esto solo tendrá lugar, cuando el hecho de la perpetración del crimen se evidencie de tal manera, que según las leyes del país donde se encuentren las personas fugitivas ó acusadas, serían legítimamente arrestadas y enjuiciadas si en él se hubiese cometido el crimen.

ARTICULO II.

En el caso de crímenes cometidos en los Estados ó Territorios fronterizos de las dos partes contratantes, podrá hacerse la requisición por medio de los agentes diplomáticos respectivos, ó por medio de la principal autoridad civil de los mismos Estados ó Territorios, ó por medio de la principal autoridad civil ó judicial de los distritos ó partidos de los límites de la frontera, que para ese objeto pueda estar debidamente autorizada por la principal autoridad civil de los mismos Estados ó Territorios fronterizos, ó cuando por alguna causa esté suspensa la autoridad civil del Estado ó Territorio, por medio del jefe superior militar que mande el mismo Estado ó Territorio.

ARTICULO III.

Serán entregadas, con arreglo á lo dispuesto en este Tratado, las personas acusadas, como principales, auxiliares ó cómplices, de alguno de los crímenes siguientes, á saber: el homicidio voluntario, incluyendo el asesinato, el parricidio, el infanticidio y el envenenamiento: el asalto con intención de cometer homicidio: la mutilación: la piratería: el incendio: el rapto: el plagio, defi-

the taking and carrying away of a free person by force or deception; forgery, including the forging or making, or knowingly passing or putting in circulation counterfeit coin or bank notes, or other paper current as money, with intent to defraud any person or persons; the introduction or making of instruments for the fabrication of counterfeit coin or bank notes, or other paper current as money; embezzlement of public moneys; robbery, defining the same to be the felonious and forcible taking from the person of another of goods or money to any value, by violence or putting him in fear; burglary, defining the same to be breaking and entering into the house of another with intent to commit felony; and the crime of larceny, of cattle, or other goods and chattels, of the value of twenty-five dollars or more, when the same is committed within the frontier States or Territories of the contracting parties.

ARTICLE IV.

On the part of each country the surrender of fugitives from justice shall be made only by the authority of the executive thereof, except in the case of crimes committed within the limits of the frontier States or Territories, in which latter case the surrender may be made by the chief civil authority thereof, or such chief civil or judicial authority of the districts or counties bordering on the frontier as may for this purpose be duly authorized by the said chief civil authority of the said frontier States or Territories, or, if, from any cause, the civil authority of such State or Territory shall be suspended, then such surrender may be made by the chief military officer in command of such State or Territory.

ARTICLE V.

All expenses whatever of detention and delivery effected in virtue of the preceding provisions shall be borne and defrayed by the Govern-

niéndolo el aprehender y llevar consigo á una persona libre por fuerza ó engaño: la falsificacion, incluyendo el hacer ó forjar, ó introducir á sabiendas, ó poner en circulacion moneda falsa, ó billetes de banco, ú otro papel corriente como moneda, con intencion de defraudar á alguna persona ó personas: la introduccion ó fabricacion de instrumentos para hacer moneda falsa, ó billetes de banco, ú otro papel corriente como moneda: la apropiacion, ó peculado, de caudales públicos: el robo, definiéndolo el tomar de la persona de otro con fuerza é intencion criminal, efectos ó moneda de cualquiera valor, por medio de violencia ó intimidacion: por esto, el descerrajar ó forzar é introducirse á la casa de otro con intencion criminal; y el crimen de abigeato ó ratería de efectos ó bienes muebles del valor de veinte y cinco pesos, ó mas, cuando este crimen se cometa dentro de los Estados ó Territorios fronterizos de las partes contratantes.

ARTICULO IV.

Por parte de cada pais, la extradicion de los fugitivos de la justicia solo se podrá hacer por órden del Ejecutivo del mismo, excepto el caso de crímenes cometidos dentro de los límites de los Estados ó Territorios fronterizos, encuyo último caso, la extradicion se podrá ordenar por la principal autoridad civil de ellos, ó por la principal autoridad civil ó judicial de los distritos ó partidos de los límites de la frontera, que para ese objeto pueda estar debidamente autorizada por la principal autoridad civil de los mismos Estados ó Territorios, ó cuando por alguna causa esté suspensa la autoridad civil del Estado ó Territorio, se podrá ordenar la extradicion por el gefe superior militar que mande el mismo Estado ó Territorio.

Surrender to be made only by executive, except, &c.

ARTICULO V.

Todos los gastos de la detencion y extradicion, ejecutadas en virtud de las disposiciones precedentes, serán erogados y pagados por el Go-

Expenses of detention and delivery, how to be borne.

ment or authority of the frontier State or Territory in whose name the requisition shall have been made.

ARTICLE VI.

Political offences not included. The provisions of the present treaty shall not be applied in any manner to any crime or offence of a purely political character, nor shall it embrace the return of fugitive slaves, nor the delivery of criminals who, when the offence was committed, shall have been held in the place where the offence was committed in the condition of slaves, the same being expressly forbidden by the Constitution of Mexico; nor shall the provisions of the present treaty be applied in any manner to the crimes enumerated in the third article committed anterior to the date of the exchange of the ratifications hereof.

Fugitive slaves.

Slaves.

Past offences.

Citizens not to be surrendered. Neither of the contracting parties shall be bound to deliver up its own citizens under the stipulations of this treaty.

ARTICLE VII.

Treaty, how long to continue; how terminated. This treaty shall continue in force until it shall be abrogated by the contracting parties, or one of them; but it shall not be abrogated except by mutual consent, unless the party desiring to abrogate it shall give twelve months' previous notice.

ARTICLE VIII.

Ratifications when to be exchanged. The present treaty shall be ratified in conformity with the constitutions of the two countries, and the ratifications shall be exchanged at the city of Mexico within six months from the date hereof, or earlier if possible.

In witness whereof we, the Plenipotentiaries of the United States of America and of the United Mexican States, have signed and sealed these presents.

Signature. Done in the city of Mexico, on the eleventh day of December, in the year of our Lord one thousand

bierno, ó la autoridad del Estado ó Territorio fronterizo, en cuyo nombre haya sido hecha la requisicion.

ARTICULO VI.

Las disposiciones del presente tratado de ningun modo se aplicarán á los crímenes ó delitos de un carácter puramente político; tampoco comprenden la devolucion de los esclavos fugitivos, ni la entrega de los criminales que hayan tenido la condicion de esclavos en el lugar en donde se cometió el delito, al tiempo de cometerlo, estando esto espresamente prohibido por la Constitucion de México; tampoco se aplicarán de ningun modo las disposiciones del presente Tratado á los crímenes enumerados en el artículo tercero, cometidos ántes de la fecha del cange de las ratificaciones del mismo.

Ninguna de las partes contratantes queda obligada por las estipulaciones de este Tratado á hacer la extradicion de sus propios ciudadanos.

ARTICULO VII.

Este tratado continuará en vigor hasta que sea abrogado por las partes contratantes, ó por una de ellas; pero no podrá ser abrogado sino por mútuo consentimiento, á ménos que la parte que desee abrogarlo dé aviso á la otra con doce meses de anticipacion.

ARTICULO VIII.

El presente tratado será ratificado con arreglo á las constituciones de los dos países, y las ratificaciones se cangearán en la ciudad de México dentro de seis meses de esta fecha, ó ántes si fuere posible.

En testimonio de lo cual, nosotros, los Plenipotenciarios de los Estados Unidos Mexicanos y de los Estados Unidos de América, hemos firmado y sellado el presente.

Hecho en la Ciudad de México, el dia once de Diciembre del año de Nuestro Señor mil ochocientos se

eight hundred and sixty-one, the eighty-sixth of the independence of the United States of America, and the forty-first of that of the United Mexican States.

THOMAS CORWIN. [L. s.]

SEB'N LERDO DE TEJADA, [L. s.]

venta y uno; el cuadragésimo primero de la independencia de los Estados Unidos Mexicanos y el octogésimo sexto de la de los Estados Unidos de América.

SEB'N LERDO DE TEJADA.

THOMAS CORWIN. [L. s.]

And whereas the said Treaty, as amended, has been duly ratified on both parts, and the respective ratifications of the same were exchanged in the city of Mexico on the twentieth ultimo :

Ratifications.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, have caused the said Treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclaimed.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[L. s.] Done at the City of Washington, this twentieth of June, in the year of our Lord one thousand eight hundred and sixty-two, and of the independence of the United States of America the eighty-sixth.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

Postal Convention between the United States of America and the Republic of Mexico. Concluded at Mexico, December 11, 1861. Ratifications exchanged at Mexico, May 20, 1862. Proclaimed by the President of the United States, June 20, 1862.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: December 11, 1861.

A PROCLAMATION.

WHEREAS a Postal Convention between the United States of America and the Republic of Mexico was concluded and signed at the city of Mexico on the eleventh day of December, one thousand eight hundred and sixty-one, which Convention, being in the English and Spanish languages, is, word for word, as follows: Preamble

Postal Convention between the United States of America and the United Mexican States.

Convencion Postal entre los Estados Unidos Mexicanos y los Estados Unidos de América.

The United States of America and the United Mexican States, being desirous of drawing more closely the friendly relations existing between the two countries and of facilitating the prompt and regular transmission of correspondence between their respective territories, have resolved to conclude a Postal Convention, and have named as their Plenipotentiaries, that is to say: the President of the United States of America has appointed Thomas Corwin, a citizen of the United States and their Envoy Extraordinary and Minister Plenipotentiary near the Mexican Government, and the President of the United Mexican States has appointed Sebastian Lerdo de Tejada, a citizen of the said States and a deputy of the Congress of the Union, who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

Los Estados Unidos Mexicanos y los Estados Unidos de América, deseando estrechar las relaciones amistosas que existen entre los dos países y facilitar la transmisión pronta y regular de la correspondencia entre sus respectivos territorios, han determinado celebrar una Convención Postal, y han nombrado como sus Plenipotenciarios, á saber:

El Presidente de los Estados Unidos Mexicanos á Sebastian Lerdo de Tejada, ciudadano de los mismos Estados y Diputado al Congreso de la Union; y El Presidente de los Estados Unidos de América á Tomas Corwin, ciudadano de los Estados Unidos y su Enviado Extraordinario y Ministro Plenipotenciario cerca del Gobierno Mexicano;

Plenipotenciarios.

Quienes, despues de haberse comunicado reciprocamente sus respectivos plenos poderes, hallándolos en buena y debida forma, han convenido en los articulos siguientes:

ARTICLE I.

ARTICULO I.

There shall be charged upon all letters, newspapers, reviews, or other periodical publications, printed pamphlets, or other printed matter,

Se cobrará por todas las cartas, gacetas, revistas ú otras publicaciones periódicas, folletos impresos ú otros impresos, ya sean conducidos Sea rates of Postage,

conveyed either by United States or by Mexican vessels, between a port in the United States of America and a port in Mexico, the following sea rates of postage, that is to say :

on letters,

1. Upon all letters not exceeding half an ounce in weight, the rate of seven cents ; and upon all letters weighing more than half an ounce, an additional rate of seven cents for each additional half ounce or fraction thereof.

on newspapers,

2. Upon every newspaper, daily or other, the rate of one cent.

periodicals and pamphlets.

3. Upon reviews or other periodical publications, printed pamphlets, or other printed matter, the rate of one cent for every ounce or fraction of an ounce weight.

Newspapers, &c. to be sent in narrow bands.

The said newspapers, reviews, or other periodical publications, printed pamphlets, or other printed matter, shall be sent in narrow bands or covers, open at the sides or ends, so that they may be easily examined, subject to the laws and regulations of each country, respectively.

ARTICLE II.

United States inland postage on mail matter to Mexico.

There shall be charged by the post office of the United States of America upon all letters, newspapers, printed pamphlets, or other printed matter mailed in the United States and forwarded to Mexico by sea, whether by United States or by Mexican vessels, such rates of inland postage as are now or may hereafter be established by the laws of the United States, and the rate of sea postage prescribed in article first, which inland and sea postage shall be combined into one rate and paid always in advance.

Inland and sea postage to be prepaid

by stamps,

Such prepayment shall be certified by the appropriate stamps of the United States post office, and the postage so paid shall belong exclusively to the United States of America.

to belong to the United States.

Mexican inland postage on mail matter for the United States.

There shall be charged by the post office of the United Mexican States upon all letters, newspapers, printed pamphlets, or other printed matter mailed in Mexico and for-

por buques de los Estados Unidos Mexicanos ó de los Estados Unidos de América, entre un puerto de México y un puerto de los Estados Unidos de América, los siguientes portes de mar, à saber :

1°. Por todas las cartas que no escedan de media onza de peso, el porte de siete centavos ; y por todas las cartas que pesen mas de media onza, el porte adicional de siete centavos por cada media onza adicional ó fraccion de ella.

2°. Por cada gaceta, diaria ó no diaria, el porte de un centavo.

3°. Por las revistas ú otras publicaciones periódicas, folletos impresos ú otros impresos, el porte de un centavo por cada onza ó fraccion de una onza de peso.

Dichas gacetas, revistas ú otras publicaciones periódicas, folletos impresos ú otros impresos, deberán enviarse con fajas ó cubiertas, angostas, abiertas, por los lados ó extremos, para que puedan fácilmente ecsaminarse, sujetándose á las leyes y reglamentos de cada pais, respectivamente.

ARTICULO II.

Las oficinas de correos de los Estados Unidos Mexicanos cobrarán por todas las cartas, gacetas, folletos impresos ú otros impresos, puestos en el correo en México y enviados por mar á los Estados Unidos de América, ya sea por buques Mexicanos ó de los Estados Unidos, los portes de tierra que están establecidos ahora ó que puedan establecerse en lo sucesivo por las leyes de México, y el porte de mar prescrito en el artículo primero, cuyos portes de tierra y de mar se combinarán en un solo porte, que se pagará siempre adelantado.

Este pago adelantado se certificará por medio de los sellos correspondientes de las oficinas de correos de los Estados Unidos Mexicanos, y pertenecerá esclusivamente á México.

Las oficinas de correos de los Estados Unidos de América cobrarán por todas las cartas, gacetas, folletos impresos ú otros impresos, puestos en el correo en los Estados Unidos

warded to the United States of America by sea, whether by Mexican or by United States vessels, such rates of inland postage as are now or may hereafter be established by the laws of Mexico, and the rate of sea postage prescribed in article first, which inland and sea postage shall be combined into one rate and paid always in advance.

Such prepayment shall be certified by the appropriate stamps of the post office of the United Mexican States, and the postage so paid shall belong exclusively to Mexico.

ARTICLE III.

Upon all letters, newspapers, printed pamphlets, or other printed matter received in the United States of America from Mexico by sea, there will be charged by the United States such rates of inland postage as are now, or may hereafter be, established by the laws of the United States, which shall be collected at the place of destination, and shall belong exclusively to the United States of America, and vice versa, upon all letters, newspapers, printed pamphlets, or other printed matter received in Mexico from the United States of America by sea, there will be charged by Mexico such rates of inland postage as are now, or may hereafter be, established by the laws of Mexico, which shall be collected at the place of destination, and shall belong exclusively to Mexico.

ARTICLE IV.

All letters, newspapers, printed pamphlets, or other printed matter mailed in the United States of America, and addressed to any place in the United Mexican States, or vice versa, when not conveyed by sea, shall be charged with the rate of inland postage of the country from which such mail matter is sent, which shall be prepaid, and with the inland postage of the country receiving, which shall be collected at the place of destination.

y enviados por mar á México, ya sea por buques de los Estados Unidos ó de México, los portes de tierra que están establecidos ahora ó que puedan establecerse en lo sucesivo por las leyes de los Estados Unidos, y el porte de mar prescrito en el artículo primero, cuyos portes de tierra y de mar se combinarán en un solo porte, que se pagará siempre adelantado.

Este pago adelantado se certificará por medio de los sellos correspondientes de las oficinas de correos de los Estados Unidos, y pertenecerá esclusivamente á los Estados Unidos de América.

ARTICULO III.

Por todas las cartas, gacetas, folletos impresos ú otros impresos que se reciban en México de los Estados Unidos de América por mar, cobrará México los portes de tierra que están establecidos ahora ó que puedan establecerse en lo sucesivo por las leyes de México, cuyos portes se escigirán en el lugar del destino, y pertenecerán esclusivamente á México; y vice versa, por todas las cartas, gacetas, folletos impresos ú otros impresos que se reciban en los Estados Unidos de América de México por mar, cobrarán los Estados Unidos los portes de tierra que están establecidos ahora ó que puedan establecerse en lo sucesivo por las leyes de los Estados Unidos, cuyos portes se escigirán en el lugar del destino, y pertenecerán exclusivamente á los Estados Unidos de América.

ARTICULO IV.

Por todas las cartas, gacetas, folletos impresos ú otros impresos, puestos en el correo en los Estados Unidos Mexicanos y dirigidos á algun lugar de los Estados Unidos de América, ó vice versa, cuando no sean enviados por mar, se cobrará el porte de tierra del pais de que procedan, cuyo porte se pagará adelantado, y se cobrará el porte de tierra del pais que los reciba, cuyo porte se pagará en el lugar de su destino.

Inland and sea postage to be prepaid

by stamps,

to belong to Mexico.

United States inland postage on mail matter from Mexico,

where to be collected and to whom to belong.

Postage in Mexico on mail matter from the United States,

where collected and to whom to belong.

Postage on mail matter not conveyed by sea.

Such postage shall belong respectively to the country collecting the same.

ARTICLE V.

Mail matter not to be detained;

to be forwarded speedily and delivered promptly.

All letters, newspapers, printed pamphlets, or other printed matter mailed in the one country for the other, or received in the one country from the other, whether by land or sea conveyance, shall be free from any detention or inspection whatever, and shall in the one case be forwarded by the most speedy means to their destination, and in the other be promptly delivered to the respective persons to whom they are addressed, being subject in their transmission to the laws and regulations of each country, respectively.

ARTICLE VI.

Provision in case of steam or other mail packets.

So soon as steam or other mail packets, under the flag of either of the contracting parties, shall have commenced running between their respective ports of entry, whether under subvention from the United States or from Mexico, the contracting parties agree to receive at those ports all mailable matter, and to forward it as directed, the destination being to some regular post office of either country, charging thereupon only the rates established by the present convention.

Mails to be made up at regular intervals.

Mails for the United States of America shall be made up at regular intervals by the Mexican post office, and dispatched to ports of the United States; and, in the same manner, mails for Mexico shall be made up at regular intervals by the United States post office, and dispatched to ports in Mexico.

ARTICLE VII.

Closed mails through Mexico.

The United Mexican States engage to grant to the United States of America the transit, in closed mails, free from any postage, duties,

Tales portes pertenecerán respectivamente al país que los cobre

ARTICULO V.

Todas las cartas, gacetas, folletos impresos ú otros impresos, puestas en el correo de uno de los dos países para el otro, ó recibidos en un país del otro, ya sean enviados por tierra ó por mar, estarán libres de cualquiera detencion ó inspeccion, y en el primer caso, serán enviados por los medios mas violentos á su destino, y en el otro caso, entregados prontamente á las personas á quienes sean dirigidos, estando sujetos en su trasmision á las leyes y reglamentos de cada país, respectivamente.

ARTICULO VI.

Tan pronto como los vapores ú otros paquetes correos, con bandera de cualquiera de las dos partes contratantes, hayan comenzado á correr entre sus respectivos puertos de entrada, bien sea con subvencion de México ó de los Estados Unidos, las partes contratantes recibirán en dichos puertos toda la correspondencia y la remitirán segun vaya dirigida, siempre que su destino sea para alguna oficina regular de correos de cualquiera de los dos países, cobrando solamente los portes establecidos por la presente convencion.

Las balijas para México se cerrarán á intervalos regulares en las oficinas de correos de los Estados Unidos de América, despachándolas para los puertos de México; y del mismo modo, las balijas para los Estados Unidos se cerrarán á intervalos regulares en las oficinas de correos de México, despachándolas para los puertos de los Estados Unidos.

ARTICULO VII.

Los Estados Unidos de América convienen en conceder á los Estados Unidos Mexicanos el tránsito en balijas cerradas, libres de cualquiera

imposts, detention, or examination whatever, through the United Mexican States, or any of their possessions or territories, of letters, newspapers, printed pamphlets, or other printed matter, forwarded from the United States of America, or any of their possessions or territories, to any other possession or territory of the United States of America, or to any foreign country, or from any foreign country, or possession or territory of the United States of America, to the United States of America, their possessions or territories.

A mail agent of the United States of America shall be permitted to accompany the closed mails in their transit.

The United States of America, on their part, engage to grant to the United Mexican States the transit, in closed mails, free from any postage, duties, imposts, detention, or examination whatever, through the United States of America, or any of their possessions or territories, of letters, newspapers, printed pamphlets, or other printed matter, forwarded from the United Mexican States, or any of their possessions or territories, to any other Mexican possession or territory, or to any foreign country, or from any foreign country, or Mexican possession or territory, to the United Mexican States, their possessions or territories.

A mail agent of Mexico shall be permitted to accompany the closed mails in their transit.

ARTICLE VIII.

The means of making the transit of closed mails, under the stipulations of article seventh of the present Convention, shall be arranged between the general post office department of the two countries, subject to the approbation of each Government, respectively.

ARTICLE IX.

In case of the misfortune of war between the two nations, the mail

porte, derechos, impuestos, detencion ó exámen, por medio de los Estados Unidos de América ó de alguna de sus posesiones ó territorios, de las cartas, gacetas, folletos impresos ú otros impresos, enviados de los Estados Unidos Mexicanos, ó de alguna de sus posesiones ó territorios, para alguna otra posesion ó territorio Mexicano, ó para algun pais extranjero, ó de algun pais extranjero, ó posesion ó territorio Mexicano, para los Estados Unidos Mexicanos, sus posesiones ó territorios.

Un empleado de correo de México podrá acompañar las balijas cerradas en su tránsito.

Mail agent.

Los Estados Unidos Mexicanos, por su parte, convienen en conceder á los Estados Unidos de América el tránsito el balijas cerradas, libres de cual quiera porte, derechos, impuestos, detencion ó exámen, por medio de los Estados Unidos Mexicanos ó alguna de sus posesiones ó territorios, de las cartas, gacetas, folletos impresos ú otros impresos, enviados de los Estados Unidos de América, ó de alguna de sus posesiones ó territorios, para alguna otra posesion ó territorio de los Estados Unidos de América, ó para algun pais extranjero, ó de algun pais extranjero, ó posesion ó territorio de los Estados Unidos de América, para los Estados Unidos de América, sus posesiones ó territorios.

Un empleado de correos de los Estados Unidos de América podrá acompañar las balijas cerradas en su tránsito.

Closed mails through the United States

Mail agent.

ARTICULO VIII.

Los medios de hacer el tránsito de las balijas cerradas, con arreglo á las estipulaciones del artículo sétimo de la presente Convencion se arreglarán entre las administraciones generales de correos de los dos paises, sujetándose á la aprobacion de cada gobierno, respectivamente.

Transit of closed mails to be arranged.

ARTICULO IX.

En el caso desgraciado de guerra entre las dos Naciones, el servicio

Provision in case of war between the two nations.

service of the two post offices shall continue without impediment or molestation until six weeks after a notification shall have been made on the part of either of the two Governments and delivered to the other, that the service is to be discontinued; and in such case the mail packets of the two countries shall be permitted to return freely, and under special protection, to their respective ports.

ARTICLE X.

Regulations, &c., to be settled, &c.

The respective post office regulations and rates of postage of each of the contracting parties shall be communicated to, and all matters of detail arising out of the stipulations of this convention shall be settled between the General Post Office Departments of the two republics as soon as possible after the exchange of the ratifications of the present convention.

Details may be modified.

It is also agreed that the measures of detail referred to in this article may be modified by the two General Post Office Departments whenever, by mutual consent, those Departments shall have decided that such modifications would be beneficial to the post office service of the two countries; and Mexico proposes, so soon as her means of internal transportation will permit, to reduce her present rates of inland postage.

Inland postage in Mexico to be reduced.

ARTICLE XI.

Convention how long to continue.

The present convention shall continue in force until it shall be abrogated by the mutual consent of the two contracting parties, or until one of them shall have given twelve months' previous notice to the other of a desire to abrogate it.

ARTICLE XII.

Ratifications, when to be exchanged.

This convention shall be ratified in conformity with the Constitutions of the two countries, and the ratifications shall be exchanged at the city of Mexico within six months from the date hereof, or earlier if possible.

de las dos administraciones de correos continuará sin impedimento ni molestia, hasta seis semanas despues de que se haga por parte de uno de los dos gobiernos, y se entregue al otro, la notificacion de que se suspende el servicio, y en tal caso, se permitirá que los paquetes correos de los dos países retornen libremente y bajo especial proteccion á sus puertos respectivos.

ARTICULO X.

Se comunicarán los respectivos reglamentos de correos, asi como las tarifas de los portes de cada una de las partes contratantes, y todos los puntos de pormenores que se originen de las estipulaciones de esta convencion se determinarán entre las administraciones generales de correos de las dos Repúblicas, tan pronto como fuere posible despues del cange de las ratificaciones de la presente convencion.

Igualmente, se conviene en que todas las medidas de los pormenores indicados en este artículo podrán modificarse por las dos administraciones generales de correos, siempre que dichas administraciones resuelvan por mútuo consentimiento que tales modificaciones sean benéficas al servicio de correos de los dos países; y México se propone rebajar sus tarifas actuales de portes de tierra, tan pronto como lo permitan sus medios de trasporte interior.

ARTICULO XI.

La presente convencion continuará en vigor hasta que sea abrogada por mútuo consentimiento de las dos partes contratantes, ó hasta que una de ellas haya dado aviso á la otra de su deseo de abrogarla con doce meses de anticipacion.

ARTICULO XII.

Esta convencion será ratificada con arreglo á las Constituciones de los dos países, y las ratificaciones se cangerán en la ciudad de México, dentro de seis meses de esta fecha, ó ántes si fuere posible.

In witness whereof, we, the Plenipotentiaries of the United States of America and of the United Mexican States, have signed and sealed these presents.

Done in the city of Mexico on the eleventh day of December, in the year of our Lord one thousand eight hundred and sixty-one, in the eighty-sixth year of the independence of the United States of America, and in the forty-first of that of the United Mexican States.

THOMAS CORWIN, [L. s.]
 SEB'N LERDO DE TEJADA, [L. s.]

En testimonio de lo cual, nosotros, los Plenipotenciarios de los Estados Unidos Mexicanos y de los Estados Unidos de América, firmamos y sellamos la presente.

Hecha en la ciudad de México, el día once de Diciembre del año de Nuestro Señor mil ochocientos sesenta y uno; el cuadragésimo primero de la Independencia de los Estados Unidos Mexicanos, y el octogésimo sexto de la de los Estados Unidos de América.

SEB'N LERDO DE TEJADA, [L. s.]
 THOMAS CORWIN, [L. s.]

Signature.

And whereas the said convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged in the city of Mexico on the twentieth ultimo :

Ratification.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, have caused the said convention to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled by the United States and the citizens thereof.

Proclamation.

In testimony whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

[L. s.] Done at the city of Washington, this twentieth day of June, in the year of our Lord one thousand eight hundred and sixty-two, and of the independence of the United States of America the eighty-sixth.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

Treaty of Commerce and Navigation between the United States and the Ottoman Empire. Concluded at Constantinople, February 25, 1862. Ratifications exchanged at Constantinople, June 5, 1862. Proclaimed by the President of the United States, July 2, 1862.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: Feb. 25, 1862.

A PROCLAMATION.

Whereas a treaty of commerce and navigation between the United States of America and the Ottoman Empire was concluded and signed by their respective plenipotentiaries at Constantinople on the twenty-fifth day of February last, which treaty, in the English language, is word for word as follows :

Preamble.

Treaty of Commerce and Navigation between the United States of America and the Ottoman Empire.

The United States of America on the one part, and His Imperial Majesty the Sultan of the Ottoman empire on the other part, being equally animated by the desire of extending the commercial relations between their respective countries, have agreed, for this purpose, to conclude a treaty of commerce and navigation, and have named as their respective plenipotentiaries, that is to say : The President of the United States of America, Edward Joy Morris, minister resident at the Sublime Porte ; and His Imperial Majesty the Sultan of the Ottoman empire, his highness Mehemed Emin Aali Pacha, minister of foreign affairs, decorated with the imperial orders of the Ottomanich in Brilliants, Majdich, and order of Merit of the First Class, and the grand crosses of several foreign orders ; who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles :

Contracting parties.

Plenipotentiaries.

ARTICLE I. All rights, privileges, and immunities, which have been conferred on the citizens or vessels of the United States of America by the treaty already existing between the United States of America and the Ottoman empire, are confirmed, now and forever, with the exception of those clauses of the said treaty which it is the object of the present treaty to modify ; and it is, moreover, expressly stipulated that all rights, privileges, or immunities, which the Sublime Porte now grants, or may hereafter grant to, or suffer to be enjoyed by the subjects, ships, commerce, or navigation of any other foreign power, shall be equally granted to and exercised and enjoyed by the citizens, vessels, commerce, and navigation of the United States of America.

Rights under former treaties confirmed, except, &c.

Privileges of most favored nation to be granted to the United States.

ARTICLE II. The citizens of the United States of America, or their agents, shall be permitted to purchase, at all places in the Ottoman empire and its possessions, (whether for the purposes of internal trade or of exportation,) all articles, without any exception whatsoever, the produce or manufacture of the said empire and possessions ; and the Sublime Porte having, in virtue of the second article of the convention of commerce, of the 16th of August, 1838, with Great Britain, formally engaged to abolish all monopolies of agricultural produce, or of every other articles whatsoever, as well as all "permits" (tezkerehs) from the local governors, either for the purchase of any article, or for its removal from one place to another when purchased, any attempt to compel the citizens of

Citizens of United States may purchase all articles, &c.

Permits from local governors no longer allowed.

the United States of America to receive such "permits" from the local governors shall be considered as an infraction of this treaty, and the Sublime Porte shall immediately punish with severity any viziers, or other officers, who shall have been guilty of such misconduct, and shall render full justice to citizens of the United States of America for all losses or injuries which they, may duly prove themselves to have suffered thereby.

Internal duties
in Turkey.

ARTICLE III. If any articles of Ottoman produce or manufacture be purchased by citizens of the United States of America, or their agents, for the purpose of selling the same for internal consumption in Turkey, the said citizens, or their agents, shall pay at the purchase and sale of such articles, and in any manner of trade therein, the same duties that are paid in similar circumstances by the most favored class of Ottoman subjects, or of foreigners in the internal trade of the Ottoman empire.

Export duties
from Turkey.

ARTICLE IV. No other or higher duties or charges shall be imposed in the dominions and possessions of either of the contracting parties, on the exportation of any article to the dominions and possessions of the other, than such as are or may be payable on the exportation of the like article to any other foreign country; nor shall any prohibition be imposed on the exportation of any article from the dominions and possessions of either of the two contracting powers to the dominions and possessions of the other, which shall not equally extend to the exportation of the like article to any other country.

Prohibitions to
be same as, &c.

Eight per cent.
export duty may
be charged.

No charge or duty whatsoever will be demanded on any article of Ottoman produce or manufacture purchased by citizens of the United States of America, or their agents, either at the place where such article is purchased or in its transit from that place to the place whence it is exported, at which it will be subject to an export duty not exceeding eight per cent., calculated on the value at the place of shipment, and payable on exportation; and all articles which shall once have paid this duty shall not again be liable to the same duty, however they may have changed hands within any part of the Ottoman empire.

To be reduced.

It is furthermore agreed, that the duty of eight per cent. above mentioned will be annually reduced by one per cent. until it shall be, in this manner, finally reduced to a fixed duty of one per cent. ad valorem, destined to cover the general expenses of administration and control.

Transport
duties and
prohibitions.

ARTICLE V. No other or higher duties shall be imposed on the importation into the United States of America of any article the produce or manufacture of the dominions and possessions of His Imperial Majesty the Sultan, from whatever place arriving, whether by sea or by land; and no other or higher duties shall be imposed on the importation into the dominions and possessions of His Imperial Majesty, of any article the produce or manufacture of the United States of America, from whatever place arriving, than are or may be payable on the like article the produce or manufacture of any other foreign country; nor shall any prohibition be maintained or imposed on the importation of any article, the produce or manufacture of the dominions and possessions of either of the contracting parties, into the dominions and possessions of the other, which shall not equally extend to the importation of the like articles, being the produce or manufacture of any other country.

Import duties
not to exceed
eight per cent.

His Imperial Majesty further engages that, save as hereinafter excepted, he will not prohibit the importation into his dominions and possessions of any article the produce and manufacture of the United States of America, from whatever place arriving; and that the duties to be imposed on every article the produce or manufacture of the United States of America imported into the empire and possessions of His Imperial Majesty the Sultan, shall in no case exceed one fixed rate of eight per cent. ad valorem, or a specific duty, fixed by common consent, equivalent thereto. Such rate shall be calculated upon the value of such articles

at the wharf, and shall be payable at the time of their being landed, if brought by sea, or at the first custom-house they may reach, if brought by land.

If these articles, after having paid the import duty of eight per cent., are sold either at the place of their arrival or in the interior of the country, neither the buyer nor the seller shall be charged with any further duty in respect to them; and if such articles should not be sold for consumption in the Ottoman empire, but should be reexported within the space of six months, the same shall be considered as merchandise in transit by land, and be treated as is stated hereinafter in Article XII. of this treaty; the administration of the customs being bound to restore, at the time of their reexportation, to the merchant, who shall be required to furnish proof that the goods in question have paid the import duty of eight per cent., the difference between that duty and the duty levied on goods in transit by land, as set forth in the article above cited.

ARTICLE VI. It is understood that any article the produce or manufacture of a foreign country intended for importation into the United Principalities of Moldo-Wallachia, or into the principality of Servia, which shall pass through any other part of the Ottoman empire, will not be liable to the payment of customs duty until it reaches those principalities; and, on the other hand, that any article of foreign produce or manufacture passing through those principalities, but destined for some other part of the Ottoman empire, will not be liable to the payment of customs duty until such article reaches the first custom-house under the direct administration of the Sublime Porte.

Imports for principalities.

The same course shall be followed with respect to any article the produce or manufacture of those principalities, as well as with respect to any article the produce or manufacture of any other portion of the Ottoman empire, intended for exportation; such articles will be liable to the payment of customs duties—the former to the custom-house of the aforesaid principalities, and the latter to the Ottoman custom-house; the object being that neither import nor export duties shall in any case be payable more than once.

ARTICLE VII. The subjects and citizens of the contracting parties shall enjoy, in the dominions and possessions of the other, equality of treatment with native subjects or citizens in regard to warehousing, and also in regard to bounties, facilities, and drawbacks.

Citizens of each country to enjoy equal privileges as to warehousing, &c.

ARTICLE VIII. All articles which are, or may be, legally importable into the United States of America, in vessels of the United States, may likewise be imported in Ottoman vessels without being liable to any other or higher duties or charges, of whatever denomination, than if such articles were imported in vessels of the United States; and, reciprocally, all articles which are or may be legally importable into the dominions and possessions of His Imperial Majesty the Sultan in Ottoman vessels, may likewise be imported in vessels of the United States without being liable to any other or higher duties or charges, of whatever denomination, than if such articles were imported in Ottoman vessels. Such reciprocal equality of treatment shall take effect without distinction, whether such articles come directly from the place of origin or from any other country. In the same manner there shall be perfect equality of treatment in regard to exportation, so that the same export duties shall be paid, and the same bounties and drawbacks allowed in the dominions and possessions of either of the contracting parties on the exportation of any article which is, or may be, legally exportable therefrom, whether such exportation shall take place in Ottoman or in vessels of the United States, and whatever may be the place of destination, whether a port of either of the contracting parties, or of any third power.

Imports in Ottoman vessels.

ARTICLE IX. No duties of tonnage, harbor, pilotage, light-house, quarantine, or other similar or corresponding duties of whatever nature, or

Duties, &c., not to exceed those charged on other national vessels.

under whatever denomination, levied in the name or for the profit of government, public functionaries, private individuals, corporations, or establishments of any kind, shall be imposed in the ports of the dominions and possessions of either country upon the vessels of the other country which shall not equally, and under the same conditions, be imposed in the like cases on national vessels in general.

Such equality of treatment shall apply reciprocally to the respective vessels, from whatever port or place they may arrive and whatever may be their place of destination.

Meaning of word "vessels."

ARTICLE X. All vessels, which, according to the laws of the United States, are to be deemed vessels of the United States, and all vessels which, according to Ottoman laws, are to be deemed Ottoman vessels, shall, for the purposes of this treaty, be deemed vessels of the United States and Ottoman vessels, respectively.

Goods of the United States passing through the Dardanelles.

ARTICLE XI. No charge whatsoever shall be made upon goods of the United States, being the produce or manufacture of the United States of America, whether in vessels of the United States, or other vessels, nor upon any goods the produce or manufacture of any other foreign country carried in vessels of the United States, when the same shall pass through the Straits of the Dardanelles, or of the Bosphorus, whether such goods shall pass through those straits in the vessels that brought them, or shall have been transhipped to other vessels; or whether, after having been sold for exportation, they shall, for a certain limited time, be landed in order to be placed in other vessels for the continuance of their voyage. In the latter case, the goods in question shall be deposited at Constantinople, in the magazines of the custom-house, called transit magazines; and in any other places where there is no entrepot, they shall be placed under the charge of the administration of the customs.

Certain duties reduced from three per cent. to two per cent.

ARTICLE XII. The Sublime Porte, desiring to grant, by means of gradual concessions, all facilities in its power to transit by land, it is stipulated and agreed that the duty of three per cent. levied up to this time on articles imported into the Ottoman empire, in their passage through the Ottoman empire to other countries, shall be reduced to two per cent. payable as the duty of three per cent. has been paid hitherto, on arriving in the Ottoman dominions; and at the end of eight years, to be reckoned from the day of the exchange of the ratifications of the present treaty, to a fixed and definite tax of one per cent., which shall be levied, as is to be the case with respect to Ottoman produce exported, to defray the expense of registration.

The Sublime Porte, at the same time, declares that it reserves to itself the right to establish, by a special enactment, the measures to be adopted for the prevention of fraud.

United States citizens to have same rights, &c., as foreign subjects.

ARTICLE XIII. Citizens of the United States of America, or their agents, trading in goods the produce or manufacture of foreign countries, shall be subject to the same taxes, and enjoy the same rights, privileges, and immunities, as foreign subjects dealing in goods the produce or manufacture of their own country.

Tobacco and Salt.

ARTICLE XIV. An exception to the stipulations laid down in the Vth Article shall be made in regard to tobacco in any shape whatsoever, and also in regard to salt, which two articles shall cease to be included among those which the citizens of the United States of America are permitted to import into the Ottoman dominions.

Citizens of the United States, however, or their agents, buying or selling tobacco or salt for consumption in the Ottoman empire, shall be subject to the same regulations and shall pay the same duties as the most favored Ottoman subjects trading in the two articles aforesaid; and furthermore, as a compensation for the prohibition of the two articles above mentioned, no duty whatsoever shall in future be levied on those articles when exported from the Ottoman empire by citizens of the United States.

Citizens of the United States shall, nevertheless, be bound to declare the quantity of tobacco and salt thus exported to the proper custom-house authorities, who shall, as heretofore, have the right to watch over the export of these articles, without thereby being entitled to levy any tax thereon on any pretence whatsoever.

ARTICLE XV. It is understood between the two contracting parties that the Sublime Porte reserves to itself the faculty and right of issuing a general prohibition against the importation into the Ottoman empire of gunpowder, cannon, arms of war, or military stores, but such prohibition will not come into operation until it shall have been officially notified, and will apply only to the articles mentioned in the decree enacting the prohibition. Any of these articles which have not been so specifically prohibited shall, on being imported into the Ottoman empire, be subject to the local regulations, unless the legation of the United States of America shall think fit to apply for a special license, which will in that case be granted, provided no valid objection thereto can be alleged. Gunpowder, in particular, when allowed to be imported will be liable to the following stipulations:

Importation of gunpowder, &c., may be prohibited.

Gunpowder.

1. It shall not be sold by citizens of the United States in quantities exceeding the quantities prescribed by the local regulations.

2. When a cargo or a large quantity of gunpowder arrives in an Ottoman port, on board a vessel of the United States, such vessel shall be anchored at a particular spot, to be designated by the local authorities, and the gunpowder shall thence be conveyed, under the inspection of such authorities, to depots, or fitting places designated by the government, to which the parties interested shall have access under due regulations.

Fowling-pieces, pistols, and ornamental or fancy weapons, as also small quantities of gunpowder for sporting, reserved for private use, shall not be subject to the stipulations of the present article.

ARTICLE XVI. The firmans required for merchant vessels of the United States of America, on passing through the Dardanelles and the Bosphorus, shall always be delivered in such manner as to occasion to such vessels the least possible delay.

Firmans for merchant vessels.

ARTICLE XVII. The captains of merchant vessels of the United States, laden with goods destined for the Ottoman empire, shall be obliged, immediately on their arrival at the port of their destination, to deposit in the custom-house of said port a true copy of their manifest.

Custom-house rules.

ARTICLE XVIII. Contraband goods will be liable to confiscation by the Ottoman treasury; but a report, or proces verbal, of the alleged act of contraband, must, so soon as the said goods are seized by the authorities, be drawn up and communicated to the consular authority of the citizen or subject to whom the goods said to be contraband shall belong; and no goods can be confiscated as contraband, unless the fraud with regard to them shall be duly and legally proved.

Contraband goods.

ARTICLE XIX. All merchandise, the produce or manufacture of the Ottoman dominions and possessions, imported into the United States of America, shall be treated in the same manner as the like merchandise, the produce and manufacture of the most favored nation.

Commercial rights, to be same as those of any foreign power.

All rights, privileges, or immunities, which are now or may hereafter be granted to, or suffered to be enjoyed by the subjects, vessels, commerce, or navigation of any foreign power in the United States of America, shall be equally granted to, and exercised and enjoyed by the subjects, vessels, commerce, and navigation of the Sublime Porte.

ARTICLE XX. The present treaty, when ratified, shall be substituted for the commercial convention of the 16th of August, 1838, between the Sublime Porte and Great Britain, on the footing of which the commerce of the United States of America has been heretofore placed, and shall continue in force for 28 [twenty-eight] years from the day

Present treaty to be substituted for former.

of the exchange of the ratifications; and each of the two contracting parties being, however, at liberty to give to the other, at the end of 14 [fourteen] years, (that time being fixed, as the provisions of this treaty will then have come into full force,) notice for its revision, or for its determination at the expiration of a year from the date of that notice, and so again at the end of 21 [twenty-one] years.

The present treaty shall receive its execution in all and every one of the provinces of the Ottoman empire; that is to say, in all the possessions of His Imperial Majesty the Sultan, situated in Europe or in Asia, in Egypt, and in the other parts of Africa belonging to the Sublime Porte, in Servia, and in the united principalities of Moldavia and Wallachia.

Construction of
this treaty.

ARTICLE XXI. It is always understood that the government of the United States of America does not pretend, by any article in the present treaty, to stipulate for more than the plain and fair construction of the terms employed, nor to preclude in any manner the Ottoman government from the exercise of its rights of internal administration where the exercise of these rights does not evidently infringe upon the privileges accorded by ancient treaties or by the present treaty to citizens of the United States or their merchandise.

Commissioners
to settle tariff
of duties.

ARTICLE XXII. The high contracting parties have agreed to appoint, jointly, commissioners for the settlement of a tariff of custom-house duties, to be levied in conformity with the stipulations of the present treaty, as well upon merchandise of every description, being the produce or manufacture of the United States of America, imported into the Ottoman empire, as upon articles of every description the produce or manufacture of the Ottoman empire and its possessions, which citizens of the United States or their agents are free to purchase in any part of the Ottoman empire for exportation to the United States or to any other country. The new tariff, to be so concluded, shall remain in force during seven years, dating from the date of the exchange of the ratifications.

Each of the contracting parties shall have the right, a year before the expiration of that term, to demand the revision of the tariff. But if, during the seventh year, neither the one nor the other of the contracting parties shall avail itself of this right the tariff then existing shall continue to have the force of law for seven years more, dating from the day of the expiration of the seven preceding years; and the same shall be the case with respect to every successive period of seven years.

When to be
ratified.

ARTICLE XXIII. The present treaty shall be ratified and the ratifications shall be exchanged at Constantinople in three calendar months, or sooner, if possible, and shall be carried into execution when ratified.

Done at Constantinople, on the twenty-fifth day of February, 1862.

EDWARD JOY MORRIS, [L. s.]
AALI, [L. s.]

Exchange of
ratifications.

And whereas the said Treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Constantinople, on the fifth ultimo, by Edward Joy Morris, Minister Resident of the United States at the Sublime Porte, and by his Highness Mehemed Emin Aali Pacha, Minister of Foreign Affairs of His Imperial Majesty the Sultan of the Ottoman Empire, on the part of their respective Governments:

Proclamation.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, have caused the said Treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[L. S.] Done at the City of Washington, this second day of July, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the eighty-sixth.

ABRAHAM LINCOLN.

By the President:

F. W. SEWARD, *Acting Secretary of State.*

Treaty between the United States of America and the Kansas Tribe of Indians. Concluded at the Kansas Agency, in Kansas, March 13, 1862. Ratified, with Amendment, February, 6, 1863. Amendment assented to, February 26, 1863. Proclaimed by the President of the United States, March 16, 1863.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: March 13, 1862.

WHEREAS a Treaty was made and concluded at the Kansas agency, in the State of Kansas, on the thirteenth day of March, in the year of our Lord eighteen hundred and sixty-two, by and between H. W. Farnsworth, commissioner on the part of the United States, and the hereinafter named chiefs and headmen of the Kansas tribe of Indians, representing said Indians and duly authorized thereto by them, which treaty is in the words and figures following, to wit:

Preamble.

Whereas a treaty was made and concluded at the Kansas agency, in the then Territory, but now State, of Kansas, on the fifth day of October, A. D. 1859, by and between Alfred B. Greenwood, commissioner on the part of the United States, and the chiefs and headmen representing the Kansas tribe of Indians, and authorized by said tribe for that purpose; which treaty, after having been submitted to the Senate of the United States for its constitutional action thereon, was duly accepted, ratified, and confirmed by the President of the United States, on the seventeenth day of November, A. D. 1860, with an amendment to the fourth article thereof, which amendment, first proposed and made by the Senate on the twenty-seventh day of June, A. D. 1860, was afterwards agreed to and ratified by the aforesaid chiefs and headmen of the Kansas tribe of Indians on the fourth day of October of the same year:

Former treaty.

Now, therefore, it is further agreed and concluded on this thirteenth day of March, A. D. 1862, by and between H. W. Farnsworth, a commissioner on the part of the United States, and the said Kansas tribe of Indians, by their authorized representatives, the chiefs and headmen thereof, to wit:

Contracting parties.

ARTICLE 1st. That the said treaty and the amendment thereof be further amended so as to provide that a fair and reasonable value of the improvements made by persons who settled on the diminished reserve of said Kansas Indians between the second day of December, A. D. 1856, and the fifth day of October, A. D. 1859, shall be ascertained by the Secretary of the Interior, and certificates of indebtedness by said tribe shall be issued by him to each of such persons for an amount equal to the appraisement of his or her improvements, as aforesaid; and that like certificates shall be issued to the class of persons who settled on said diminished reservation prior to the second day of December, A. D. 1856, for the amounts of the respective claims as provided for and ascertained under the provisions of the amendment of said treaty; and that like certificates be issued to the owners of the same for the amounts of claims which have been examined and approved by the agent and superintendent, and revised and confirmed by the Secretary of the Interior, under the provisions of the 5th article of said treaty, and that all such certificates shall be receivable as cash, to the amount for which they may be issued, in payment for lands purchased or entered on that part of the first assigned reservation outside of said diminished reservation, or of any part of the diminished reservation that may hereafter be offered for sale, or may be

The value of improvements by certain settlers to be ascertained, and certificates of indebtedness issued therefor.

See amendments, p. 313.

redeemed and paid out of the proceeds of sales of lands when such proceeds have not theretofore been made applicable to other purposes named in said treaty.

Half section of land to Thomas S. Huffaker.

ARTICLE 2d. The Kansas Tribe of Indians, being desirous of making a suitable expression of the obligations the said tribe are under to Thomas S. Huffaker, for the many services rendered by said Huffaker as missionary, teacher, and friendly counsellor of said tribe of Indians, hereby authorize and request the Secretary of the Interior to convey to the said Thomas S. Huffaker the half section of land on which he has resided, and improved and cultivated since the year A. D. 1851, it being the south half of section eleven, (11,) in township numbered sixteen (16) south, range numbered eight (8) east, of the sixth principal meridian, Kansas.

Signature.

In testimony whereof, the said H. W. Farnsworth, commissioner, as aforesaid, and the said chiefs and headmen of the Kansas tribe of Indians, have hereunto set their hands and seals, at the Kansas agency, in the State of Kansas, on the said thirteenth day of March, in the year of our Lord one thousand eight hundred and sixty-two.

In presence of—

T. S. HUFFAKER.

A. G. BARNETT.

EDWARD WOLCOTT.

A. N. BLOCKLIDGE.

JOSEPH JAMES.

H. W. FARNSWORTH.

his x mark.

ISH-TAH-LES-ICE,

his x mark.

[SEAL.]

NO-PA-WY,

his x mark.

[SEAL.]

NE-HU-GAH-IN-KA,

his x mark.

[SEAL.]

KAH-HE-GA-WAH-TI-IN-GA,

his x mark.

[SEAL.]

WAK-SHUN-GE-A,

his x mark.

[SEAL.]

ALLE-GAH-WAH-HO,

his x mark.

[SEAL.]

CAH-KE-GES-CHA,

his x mark.

[SEAL.]

E. B. SUN-GAH,

his x mark.

[SEAL.]

KE-BAH-LAH-HE,

his x mark.

[SEAL.]

WAH-HAH-NAH-SHA,

his x mark.

[SEAL.]

KAH-HE-GAH-WAH-CHEHHE,

his x mark.

[SEAL.]

WAH-PAH-GAH,

his x mark.

[SEAL.]

WAH-TI-IN-GAH,

his x mark.

[SEAL.]

PAH-HAH-NAH-GAH-LE,

his x mark.

[SEAL.]

SHUN-GAH-WAH-SA,

his x mark.

[SEAL.]

KE-WAH-LES-IS,

his x mark.

[SEAL.]

KE-AH-HAH-WAH-CU,

his x mark.

[SEAL.]

KAH-HE-GAH-SHE,

his x mark.

[SEAL.]

O-ME-SIA,

his x mark.

[SEAL.]

WY-E-LAH-IN-GAH,

his x mark.

[SEAL.]

LES-YA,

his x mark.

[SEAL.]

KE-HAH-GA-CHA-WAH-GO,

his x mark.

[SEAL.]

WAH-HO-BEC-CA,

his x mark.

[SEAL.]

Ratification.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the sixth day of February, one thousand eight hundred and sixty-three, advise and consent to the ratification of the same, by a resolution, and with an amendment in the words and figures following, to wit:

IN THE SENATE OF THE UNITED STATES,
February 6th, 1863.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the treaty concluded at

the Kansas agency, March 13th, 1862, between H. W. Farnsworth, United States commissioner, and the chiefs and headmen of the Kansas tribe of Indians, with the following amendments, viz :

No. 1. In article 1, at the end of line 14th, insert "not exceeding Amendments.
in the aggregate the sum of fifteen thousand dollars."

No. 2. In article 1, after the word "treaty," in line 22d, insert "not exceeding in the aggregate the sum of fourteen thousand four hundred and twenty-one dollars."

No. 3. In article 1, after the word "treaty," in the 29th line, insert "not exceeding in the aggregate the sum of thirty-six thousand three hundred and ninety-four dollars and forty-seven cents."

No. 4. In article 1, after the word "reservation," in line 34th, strike out all to the end of the article, being these words: "Or of any part of the diminished reservation that may hereafter be offered for sale, or may be redeemed and paid out of the proceeds of sales of lands when such proceeds have not theretofore been made applicable to other purposes named in said treaty."

No. 5. In article 2, after the word "Kansas," in the 16th line, add "on the payment by said Huffaker of the appraised value of said lands, at a rate not less than one dollar and seventy-five cents per acre."

Attest :

J. W. FORNEY, *Secretary.*

And whereas the foregoing amendments having been fully interpreted and explained to the hereinafter named chiefs and headmen of the Kansas tribe of Indians, they did, on the twenty-sixth day of February, Assent to amendments.
eighteen hundred and sixty-three, at the Kansas agency, in the State of Kansas, give their free and voluntary assent to the same, in the words and figures following, to wit :

And whereas, the foregoing amendments having been fully interpreted and explained to us, the undersigned, chiefs and headmen of the Kansas tribe of Indians, we do hereby agree to and ratify the same.

Done at Kansas agency, this twenty-sixth day of February, A. D. eighteen hundred and sixty-three.

Signed in the presence of—

H. W. FARNSWORTH, *U. S. Indian Agent.*

JOSEPH JAMES, *U. S. Interpreter,* his x mark.

JOSEPH DUNLAP, *Witness to Signature of Interpreter.*

CHRISTOPHER MOONEY.

THOMAS C. HILL.

NO-PA-WI,	his x mark.	[SEAL.]
KAI-HE-GAH-WA-TI-IN-KA,	his x mark.	[SEAL.]
KAI-HE-GAH-SHIN-GAH,	his x mark.	[SEAL.]
E-BE-SUNGAH,	his x mark.	[SEAL.]
O-GOR-SHE-NOR-SHA,	his x mark.	[SEAL.]
WAH-PAH-GAH,	his x mark.	[SEAL.]
KE-WAH-LEZHE,	his x mark.	[SEAL.]
PAH-DU-CA-GOLLE,	his x mark.	[SEAL.]
MO-SHE-TUMVIA,	his x mark.	[SEAL.]
WI-E-LON-GE,	his x mark.	[SEAL.]
MO-SHON-NO-PUSSA,	his x mark.	[SEAL.]
HO-YUH-NE-KA,	his x mark.	[SEAL.]
WY-A-HOG-GY,	his x mark.	[SEAL.]
UTS-AH-GAH-BA,	his x mark.	[SEAL.]
SAH-YA,	his x mark.	[SEAL.]
GE-NO-IN-GA,	his x mark.	[SEAL.]

ME-HO-JE,	his x mark.	[SEAL.]
MAH-KU-SA-BA,	his x mark.	[SEAL.]
ME-O-TUM-WA,	his x mark.	[SEAL.]
TAH-SE-HAH,	his x mark.	[SEAL.]

Proclaimed.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the sixth day of February, eighteen hundred and sixty-three, accept, ratify, and confirm said treaty, with the amendment as aforesaid.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, and have signed the same with my hand.

Done at the city of Washington, this sixteenth day of March, [L. s.] in the year of our Lord eighteen hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States and Great Britain for the Suppression of the Slave Trade. Concluded at Washington, April 7, 1862. Rati- fications exchanged at London, May 25, 1862. Proclaimed by the President of the United States, June 7, 1862.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: April 7, 1862.

Ante, p. 531.

A PROCLAMATION.

WHEREAS a treaty between the United States of America and her Majesty the Queen of the United Kingdom of Great Britain and Ireland was concluded and signed by their respective Plenipotentiaries, at the city of Washington, on the seventh day of April last, which treaty is, word for word, as follows: Preamble.

Treaty between the United States of America and her Majesty the Queen of the United Kingdom of Great Britain and Ireland, for the suppression of the African slave trade.

The United States of America and her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being desirous to render more effectual the means hitherto adopted for the suppression of the slave trade carried on upon the coast of Africa, have deemed it expedient to conclude a treaty for that purpose, and have named as their Plenipotentiaries, that is to say: Object of treaty.

The President of the United States of America, William H. Seward, Secretary of State; Plenipotentiaries.

And her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the right honorable Richard Bickerton Pemell, Lord Lyons, a peer of her United Kingdom, a knight grand cross of her most honorable Order of the Bath, and her Envoy Extraordinary and Minister Plenipotentiary to the United States of America;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles:

ARTICLE I. The two high contracting parties mutually consent that those ships of their respective navies which shall be provided with special instructions for that purpose, as hereinafter mentioned, may visit such merchant vessels of the two nations as may, upon reasonable grounds, be suspected of being engaged in the African slave trade, or of having been fitted out for that purpose; or of having, during the voyage on which they are met by the said cruisers, been engaged in the African slave trade, contrary to the provisions of this treaty; and that such cruisers may detain, and send or carry away, such vessels, in order that they may be brought to trial in the manner hereinafter agreed upon. Certain war vessels of each nation may visit merchant-vessels of the other reasonably suspected of engaging in the slave trade, &c.

In order to fix the reciprocal right of search in such a manner as shall be adapted to the attainment of the object of this treaty, and at the same time avoid doubts, disputes, and complaints, the said right of search shall be understood in the manner and according to the rules following: Power of war vessels.

First. It shall never be exercised except by vessels of war, authorized expressly for that object, according to the stipulations of this treaty. Right of search to be exercised,

Secondly. The right of search shall in no case be exercised with respect to a vessel of the navy of either of the two Powers, but shall be exercised only as regards merchant-vessels; and it shall not be exercised by a vessel of war of either contracting party within the limits only by authorized vessels of war, and as regards merchant vessels, and not within certain places.

of a settlement or port, nor within the territorial waters of the other party.

Mode of search of merchant vessels by ships of war.

Thirdly. Whenever a merchant-vessel is searched by a ship of war, the commander of the said ship shall, in the act of so doing, exhibit to the commander of the merchant-vessel the special instructions by which he is duly authorized to search; and shall deliver to such commander a certificate, signed by himself, stating his rank in the naval service of his country, and the name of the vessel he commands, and also declaring that the only object of the search is to ascertain whether the vessel is employed in the African slave trade, or is fitted up for the said trade. When the search is made by an officer of the cruiser who is not the commander, such officer shall exhibit to the captain of the merchant-vessel a copy of the before-mentioned special instructions, signed by the commander of the cruiser; and he shall in like manner deliver a certificate signed by himself, stating his rank in the navy, the name of the commander by whose orders he proceeds to make the search, that of the cruiser in which he sails, and the object of the search, as above described. If it appears from the search that the papers of the vessel are in regular order, and that it is employed on lawful objects, the officer shall enter in the log-book of the vessel that the search has been made in pursuance of the aforesaid special instructions; and the vessel shall be left at liberty to pursue its voyage. The rank of the officer who makes the search must not be less than that of lieutenant in the navy, unless the command, either by reason of death or other cause, is at the time held by an officer of inferior rank.

Within what limits the right of search to be exercised.

Fourthly. The reciprocal right of search and detention shall be exercised only within the distance of two hundred miles from the coast of Africa, and to the southward of the thirty-second parallel of north latitude, and within thirty leagues from the coast of the Island of Cuba.

ARTICLE II. In order to regulate the mode of carrying the provisions of the preceding article into execution, it is agreed —

Ships of war to be furnished with copy of treaty and instructions.

First. That all the ships of the navies of the two nations which shall be hereafter employed to prevent the African slave trade shall be furnished by their respective Governments with a copy of the present treaty, of the instructions for cruisers annexed thereto, (marked A,) and of the regulations for the mixed courts of justice annexed thereto, (marked B,) which annexes respectively shall be considered as integral parts of the present treaty.

Each nation to give the other the names, &c. of war vessels so employed.
Rank of commanders.

Secondly. That each of the high contracting parties shall, from time to time, communicate to the other the names of the several ships furnished with such instructions, the force of each, and the names of their several commanders. The said commanders shall hold the rank of captain in the navy, or at least that of lieutenant; it being nevertheless understood that the instructions originally issued to an officer holding the rank of lieutenant of the navy, or other superior rank, shall, in case of his death or temporary absence, be sufficient to authorize the officer on whom the command of the vessel has devolved to make the search, although such officer may not hold the aforesaid rank in the service.

Mode of procedure when suspected vessel is under convoy.

Thirdly. That if at any time the commander of a cruiser of either of the two nations shall suspect that any merchant-vessel under the escort or convoy of any ship or ships-of-war of the other nation carries negroes on board, or has been engaged in the African slave trade, or is fitted out for the purpose thereof, the commander of the cruiser shall communicate his suspicions to the commander of the convoy, who, accompanied by the commander of the cruiser, shall proceed to the search of the suspected vessel; and in case the suspicions appear well founded, according to the tenor of this treaty, then the said vessel shall be conducted or sent to one of the places where the mixed courts of justice are stationed, in order that it may there be adjudicated upon.

Fourthly. It is further mutually agreed that the commanders of the ships of the two navies, respectively, who shall be employed on this service, shall adhere strictly to the exact tenor of the aforesaid instructions.

Instructions to be followed according to their tenor.

ARTICLE III. As the two preceding articles are entirely reciprocal, the two high contracting parties engage mutually to make good any losses which their respective subjects or citizens may incur by an arbitrary and illegal detention of their vessels; it being understood that this indemnity shall be borne by the Government whose cruiser shall have been guilty of such arbitrary and illegal detention; and that the search and detention of vessels specified in the first article of this treaty shall be effected only by ships which may form part of the two navies, respectively, and by such of those ships only as are provided with the special instructions annexed to the present treaty, in pursuance of the provisions thereof. The indemnification for the damages of which this article treats shall be paid within the term of one year, reckoning from the day in which the mixed court of justice pronounces its sentence.

Losses by wrongful detention to be made good by each nation.

Indemnity to be paid in a year.

ARTICLE IV. In order to bring to adjudication with as little delay and inconvenience as possible, the vessels which may be detained according to the tenor of the first article of this treaty, there shall be established, as soon as may be practicable, three mixed courts of justice, formed by an equal number of individuals of the two nations, named for this purpose by their respective Governments. These courts shall reside, one at Sierra Leone, one at the Cape of Good Hope, and one at New York.

Three mixed courts to be established.

But each of the two high contracting parties reserves to itself the right of changing, at its pleasure, the place of residence of the court or courts held within its own territories.

Places of courts, may be changed.

These courts shall judge the causes submitted to them according to the provisions of the present treaty, and according to the regulations and instructions which are annexed to the present treaty, and which are considered an integral part thereof; and there shall be no appeal from their decision.

Duties of courts.

No appeal.

ARTICLE V. In case the commanding officer of any of the ships of the navies of either country, duly commissioned according to the provisions of the first article of this treaty, shall deviate in any respect from the stipulations of the said treaty, or from the instructions annexed to it, the Government which shall conceive itself to be wronged thereby shall be entitled to demand reparation; and in such case the Government to which such commanding officer may belong binds itself to cause inquiry to be made into the subject of the complaint, and to inflict upon the said officer a punishment proportioned to any wilful transgression which he may be proved to have committed.

Each government may demand reparation for wrongful acts of officers of the other.

Punishment of such officer.

ARTICLE VI. It is hereby further mutually agreed, that every American or British merchant-vessel which shall be searched by virtue of the present treaty may lawfully be detained, and sent or brought before the mixed courts of justice established in pursuance of the provisions thereof, if, in her equipment, there shall be found any of the things hereinafter mentioned, namely:

Merchant vessels may be detained for certain causes.

First. Hatches with open gratings, instead of the close hatches, which are usual in merchant vessels.

Hatches with open gratings.

Second. Divisions or bulk-heads in the hold or on deck, in greater number than are necessary for vessels engaged in lawful trade.

Bulk-heads.

Third. Spare plank fitted for laying down as a second or slave deck.

Spare plank, &c.

Fourth. Shackles, bolts, or handcuffs.

Shackles, &c.

Fifth. A larger quantity of water in casks or in tanks than is requisite for the consumption of the crew of the vessel as a merchant-vessel.

Water.

Sixth. An extraordinary number of water casks, or of other vessels for holding liquid; unless the master shall produce a certificate from the custom-house at the place from which he cleared outwards, stating that a sufficient security had been given by the owners of such vessel that

Water casks.

such extra quantity of casks, or of other vessels should be used only to hold palm oil, or for other purposes of lawful commerce.

Mess-tubs.

Seventh. A greater number of mess-tubs or kids than requisite for the use of the crew of the vessel as a merchant-vessel.

Cooking apparatus.

Eighth. A boiler, or other cooking apparatus, of an unusual size, and larger, or capable of being made larger, than requisite for the use of the crew of the vessel as a merchant-vessel; or more than one boiler, or other cooking apparatus, of the ordinary size.

Rice, farina, &c.

Ninth. An extraordinary quantity of rice, of the flour of Brazil, of manioc or cassada, commonly called farinha, of maize, or of Indian corn, or of any other article of food whatever, beyond the probable wants of the crew; unless such rice, flour, farinha, maize, Indian corn, or other article of food, be entered on the manifest as part of the cargo for trade.

Matting.

Tenth. A quantity of mats or matting greater than is necessary for the use of the crew of the vessel as a merchant-vessel; unless such mats or matting be entered on the manifest as part of the cargo for trade.

Proof that such articles are on board, &c., to be *prima facie* evidence.

Vessel to be condemned, unless, &c.

If it be proved that any one or more of the articles above specified is or are on board, or have been on board during the voyage in which the vessel was captured, that fact shall be considered as *prima facie* evidence that the vessel was employed in the African slave trade, and she shall in consequence be condemned and declared lawful prize; unless the master or owners shall furnish clear and incontrovertible evidence, proving to the satisfaction of the mixed court of justice, that at the time of her detention or capture the vessel was employed in a lawful undertaking, and that such of the different articles above specified as were found on board at the time of detention, or as may have been embarked during the voyage on which she was engaged when captured, were indispensable for the lawful object of her voyage.

No damages to be paid for detention if any such articles are on board, &c.

ARTICLE VII. If any one of the articles specified in the preceding article as grounds for condemnation should be found on board a merchant-vessel, or should be proved to have been on board of her during the voyage on which she was captured, no compensation for losses, damages, or expenses consequent upon the detention of such vessel, shall in any case be granted either to the master, the owner, or any other person interested in the equipment or in the lading, even though she should not be condemned by the mixed court of justice.

Vessels condemned under this treaty to be broken up, &c., unless, &c.

ARTICLE VIII. It is agreed between the two high contracting parties, that in all cases in which a vessel shall be detained under this treaty, by their respective cruisers, as having been engaged in the African slave trade, or as having been fitted out for the purposes thereof, and shall consequently be adjudged and condemned by one of the mixed courts of justice to be established as aforesaid, the said vessel shall, immediately after its condemnation, be broken up entirely, and shall be sold in separate parts, after having been so broken up; unless either of the two Governments should wish to purchase her for the use of its navy, at a price to be fixed by a competent person chosen for that purpose by the mixed court of justice, in which case the Government whose cruiser shall have detained the condemned vessel shall have the first option of purchase.

Owners, officers, and crew of condemned vessel to be punished, &c.

ARTICLE IX. The captain, master, pilot, and crew of any vessel condemned by the mixed courts of justice shall be punished according to the laws of the country to which such vessel belongs, as shall also the owner or owners and the persons interested in her equipment or cargo, unless they prove that they had no participation in the enterprise.

Persons on board such vessels to be sent to their nation, with witnesses, &c.

For this purpose, the two high contracting parties agree that, in so far as it may not be attended with grievous expense and inconvenience, the master and crew of any vessel which may be condemned by a sentence of one of the mixed courts of justice, as well as any other persons found on board the vessel, shall be sent and delivered up to the jurisdiction of the nation under whose flag the condemned vessel was sailing at the time

of capture; and that the witnesses and proofs necessary to establish the guilt of such master, crew, or other persons, shall also be sent with them.

The same course shall be pursued with regard to subjects or citizens of either contracting party who may be found by a cruiser of the other on board a vessel of any third Power, or on board a vessel sailing without flag or papers, which may be condemned by any competent court for having engaged in the African slave trade.

Subjects of either power found in condemned vessels of a third power.

ARTICLE X. The negroes who are found on board of a vessel condemned by the mixed courts of justice, in conformity with the stipulations of this treaty, shall be placed at the disposal of the Government whose cruiser has made the capture; they shall be immediately set at liberty, and shall remain free, the Government to whom they have been delivered guarantying their liberty.

Negroes found on board condemned vessels, how to be disposed of.

ARTICLE XI. The acts or instruments annexed to this treaty, and which it is mutually agreed shall form an integral part thereof, are as follows:

Instruments annexed to treaty.

(A.) Instructions for the ships of the navies of both nations, destined to prevent the African slave trade.

(B.) Regulations for the mixed courts of justice.

ARTICLE XII. The present treaty shall be ratified, and the ratifications thereof shall be exchanged at London in six months from this date, or sooner if possible. It shall continue and remain in full force for the term of ten years from the day of exchange of the ratifications, and further, until the end of one year after either of the contracting parties shall have given notice to the other of its intention to terminate the same, each of the contracting parties reserving to itself the right of giving such notice to the other at the end of said term of ten years: And it is hereby agreed between them, that, on the expiration of one year after such notice shall have been received by either from the other party, this treaty shall altogether cease and determine.

Treaty, when to be ratified, and how long to continue.

In witness whereof the respective plenipotentiaries have signed the present treaty, and have thereunto affixed the seal of their arms.

Signature.

Done at Washington the seventh day of April, in the year of our Lord one thousand eight hundred and sixty-two.

[L. S.]
[L. S.]

WILLIAM H. SEWARD.
LYONS.

Annex (A) to the Treaty between the United States of America and Great Britain, for the Suppression of the African Slave Trade, signed at Washington on the 7th day of April, 1862.

Instructions for the Ships of the United States and British Navies employed to prevent the African Slave Trade.

Instructions for ships of war

ARTICLE I. The commander of any ship belonging to the United States or British navy which shall be furnished with these instructions, shall have a right to search and detain any United States or British merchant-vessel which shall be actually engaged, or suspected to be engaged, in the African slave trade, or to be fitted out for the purposes thereof, or to have been engaged in such trade during the voyage in which she may be met with by such ship of the United States or British navy; and such commander shall thereupon bring or send such merchant-vessel (save in the case provided for in article V. of these instructions) as soon as possible, for judgment, before one of the three mixed courts of justice established in virtue of the IVth article of the said treaty, that is to say:

Search and detention.

Vessels to be sent for judgment.

If the vessel shall be detained on the coast of Africa, she shall be

Before what

- courts to be brought. brought before that one of the two mixed courts of justice to be established at the Cape of Good Hope and at Sierra Leone, which may be nearest to the place of detention, or which the captor, on his own responsibility, may think can be soonest reached from such place.
- If the vessel shall be detained on the coast of the Island of Cuba, she shall be brought before the mixed court of justice at New York.
- Search, how and by whom made. **ARTICLE II.** Whenever a ship of either of the two navies, duly authorized as aforesaid, shall meet a merchant-vessel liable to be searched under the provisions of the said treaty, the search shall be conducted with the courtesy and consideration which ought to be observed between allied and friendly nations; and the search shall, in all cases, be made by an officer holding a rank not lower than that of a lieutenant in the navy; or by the officer who at the time shall be second in command of the ship by which such search is made.
- If vessel is detained, who and what to be left on board. **ARTICLE III.** The commander of any ship of the two navies, duly authorized as aforesaid, who may detain any merchant-vessel, in pursuance of the tenor of the present instructions, shall leave on board the vessel so detained, the master, the mate or boatswain, and two or three, at least, of the crew, the whole of the negroes, if any, and all the cargo.
- Declaration. The captor shall, at the time of detention, draw up, in writing, a declaration, which shall exhibit the state in which he found the detained vessel; such declaration shall be signed by himself, and shall be given in or sent, together with the captured vessel, to the mixed court of justice before which such vessel shall be carried or sent for adjudication. He shall deliver to the master of the detained vessel a signed and certified list of the papers found on board the same, as well as a certificate of the number of negroes found on board at the moment of detention.
- List of papers, &c. In the declaration which the captor is hereby required to make, as well as in the certified list of the papers seized, and in the certificate of the number of negroes found on board the detained vessel, he shall insert his own name and surname, the name of the capturing ship, and the latitude and longitude of the place where the detention shall have been made.
- Declaration to contain name of officer, &c. The officer in charge of the detained vessel shall, at the time of bringing the vessel's papers into the mixed court of justice, deliver into the court a certificate signed by himself, and verified on oath, stating any changes which may have taken place in respect to the vessel, her crew, the negroes if any, and her cargo, between the period of her detention and the time of delivering in such paper.
- Change of condition of vessel after detention, to be certified under oath. **ARTICLE IV.** If urgent reasons, arising from the length of the voyage the state of health of the negroes, or any other cause, should require that either the whole or a portion of such negroes should be disembarked before the vessel can arrive at the place at which one of the mixed courts of justice is established, the commander of the capturing ship may take upon himself the responsibility of so disembarking the negroes, provided the necessity of the disembarkation, and the causes thereof, be stated in a certificate in proper form. Such certificate shall be drawn up and entered at the time on the log-book of the detained vessel.
- When negroes may be disembarked. **ARTICLE V.** In case any merchant-vessel, detained in pursuance of the present instructions, should prove to be unseaworthy, or in such a condition as not to be taken to one of the three ports where the mixed courts of justice are to be established in pursuance of the treaty of this date, the commander of the detaining cruiser may take upon himself the responsibility of abandoning or destroying her, provided the exact causes which made such a step imperatively necessary be stated in a certificate verified on oath. Such certificate shall be drawn up and formally executed in duplicate at the time.
- Proceedings if detained vessel is unseaworthy, In case of the abandonment or destruction of a detained vessel, the master and crew, together with the negroes and papers found on board, and one copy of the sworn certificate mentioned in the preceding para-
- if she is abandoned or destroyed.

graph of this article, shall be sent and delivered to the proper mixed court of justice at the earliest possible moment.

The undersigned plenipotentiaries have agreed, in conformity with the XIth article of the treaty signed by them on this day, that the present instructions shall be annexed to the said treaty, and be considered an integral part thereof. The instructions to be annexed to treaty.

Done at Washington the seventh day of April in the year of our Lord one thousand eight hundred and sixty-two.

[L. S.]
[L. S.]

WILLIAM H. SEWARD.
LYONS.

Annex (B) to the Treaty between the United States of America and Great Britain, for the Abolition of the African Slave Trade, signed at Washington on the 7th day of April, 1862.

Regulations for the Mixed Courts of Justice.

ARTICLE I. The mixed courts of justice to be established under the provisions of the treaty, of which these regulations are declared to be an integral part, shall be composed in the following manner: Regulations for mixed courts of justice. Courts how composed.

The two high contracting parties shall each name a judge and an arbitrator, who shall be authorized to hear and to decide, without appeal, all cases of capture or detention of vessels which, in pursuance of the stipulations of the aforesaid treaty, shall be brought before them. Power of judges.

The judges and the arbitrators shall, before they enter upon the duties of their office, respectively make oath before the principal magistrate of the place in which such courts shall respectively reside, that they will judge fairly and faithfully; that they will have no preference either for claimant or for captor; and that they will act in all their decisions in pursuance of the stipulations of the aforesaid treaty. Judges to make oath.

There shall be attached to each of such courts a secretary or registrar, who shall be appointed by the party in whose territories such court shall reside. Registrar.

Such secretary or registrar shall register all the acts of the court to which he is appointed; and shall, before he enters upon his office, make oath before the court, that he will conduct himself with due respect for its authority, and will act with fidelity and impartiality in all matters relating to his office. Oath and duties of registrar.

The salaries of the judges and arbitrators shall be paid by the Governments by whom they are appointed. Salaries of judges;

The salary of the secretary or registrar of the court to be established in the territories of the United States shall be paid by the United States Government; and that of the secretaries or registrars of the two courts to be established in the territories of Great Britain shall be paid by her Britannic Majesty. of registrars.

Each of the two Governments shall defray half of the aggregate amount of the other expenses of such courts. Expenses of courts, how to be borne.

ARTICLE II. The expenses incurred by the officer charged with the reception, maintenance, and care of the detained vessel, negroes, and cargo, and with the execution of the sentence, and all disbursements occasioned by bringing a vessel to adjudication, shall, in case of condemnation, be defrayed from the funds arising out of the sale of the materials of the vessel, after the vessel shall have been broken up, of the ship's stores, and of such parts of the cargo as shall consist of merchandise. And in case the proceeds arising out of this sale should not prove suffi- Expenses of detention, &c., of vessels, how defrayed.

cient to defray such expenses, the deficiency shall be made good by the Government of the country within whose territories the adjudication shall have taken place.

Captor to pay expenses of released vessel, except, &c. If the detained vessel shall be released, the expenses occasioned by bringing her to adjudication shall be defrayed by the captor, except in the cases specified and otherwise provided for under article VII. of the treaty to which these regulations form an annex, and under article VII. of these regulations.

Courts, jurisdiction. **ARTICLE III.** The mixed courts of justice are to decide upon the legality of the detention of such vessels as the cruisers of either nation shall detain in pursuance of the said treaty.

The said courts shall adjudge definitively, and without appeal, all questions which shall arise out of the capture and detention of such vessels.

Decisions to be made in twenty days. The proceedings of the courts shall take place as summarily as possible; and for this purpose the courts are required to decide each case, as far as may be practicable, within the space of twenty days, to be dated from the day on which the detained vessels shall have been brought into the port where the deciding court shall reside.

Final sentence to be within two months, unless, &c. The final sentence shall not, in any case, be delayed beyond the period of two months, either on account of the absence of witnesses, or for any other cause, except upon the application of any of the parties interested; but in that case, upon such party or parties giving satisfactory security that they will take upon themselves the expense and risks of the delay, the courts may, at their discretion, grant an additional delay, not exceeding four months.

Counsel. Either party shall be allowed to employ such counsel as he may think fit, to assist him in the conduct of his cause.

Proceedings to be in writing and recorded. All the acts and essential parts of the proceedings of the said courts shall be committed to writing and be placed upon record.

Mode of procedure of the courts. **ARTICLE IV.** The form of the process, or mode of proceeding to judgment, shall be as follows:

The judges appointed by the two Governments, respectively, shall in the first place proceed to examine the papers of the detained vessel and shall take the deposition of the master or commander, and of two or three, at least, of the principal individuals on board of such vessel; and shall also take the declaration or oath of the captor, if it should appear to them necessary to do so, in order to judge and to pronounce whether the said vessel has been justly detained or not, according to the stipulations of the aforesaid treaty, and in order that, according to such judgment, the vessel may be condemned or released. In the event of the two judges not agreeing as to the sentence which they ought to pronounce in any case brought before them, whether with respect to the legality of the detention, or the liability of the vessel to condemnation, or as to the indemnification to be allowed, or as to any other question which may arise out of the said capture; or in case any difference of opinion should arise between them as to the mode of proceeding in the said court, they shall draw by lot the name of one of the two arbitrators so appointed as aforesaid, which arbitrator, after having considered the proceedings which have taken place, shall consult with the two judges on the case; and the final sentence or decision shall be pronounced conformably to the opinion of the majority of the three.

Examination of ship's papers, &c.

If two judges disagree, umpire how to be chosen.

Proceedings if detained vessel is restored.

ARTICLE V. If the detained vessel shall be restored by the sentence of the court, the vessel and the cargo, in the state in which they shall then be found, (with the exception of the negroes found on board, if such negroes shall have been previously disembarked under the provisions of articles IV. and V. of the instructions annexed to the treaty of this date,) shall forthwith be given up to the master, or to the person who represents him; and such master or other person may, before the same court, claim valuation of the damages which he may have a right to de-

mand. The captor himself, and, in his default, his Government, shall remain responsible for the damages to which the master of such vessel, or the owners either of the vessel or of her cargo, may be pronounced to be entitled.

Damages;

The two high contracting parties bind themselves to pay, within the term of a year from the date of the sentence, the costs and damages which may be awarded by the court; it being mutually agreed that such costs and damages shall be paid by the Government of the country of which the captor shall be a subject.

within what time to be paid.

ARTICLE VI. If the detained vessel shall be condemned, she shall be declared lawful prize, together with her cargo, of whatever description it may be, with the exception of the negroes who shall have been brought on board for the purpose of trade; and the said vessel, subject to the stipulations in the VIIIth article of the treaty of this date, shall, as well as her cargo, be sold by public sale for the profit of the two Governments, subject to the payment of the expenses hereinafter mentioned.

Proceedings when detained vessel is condemned.

The negroes who may not previously have been disembarked shall receive from the court a certificate of emancipation, and shall be delivered over to the Government to whom the cruiser which made the capture belongs, in order to be forthwith set at liberty.

Negroes to be set at liberty, &c.

ARTICLE VII. The mixed courts of justice shall also take cognizance of, and shall decide definitively and without appeal, all claims for compensation on account of losses occasioned to vessels and cargoes which shall have been detained under the provisions of this treaty, but which shall not have been condemned as legal prize by the said courts; and in all cases wherein restitution of such vessels and cargoes shall be decreed, save as mentioned in the VIIth article of the treaty to which these regulations form an annex, and in a subsequent part of these regulations, the court shall award to the claimant or claimants, or to his or their lawful attorney or attorneys, for his or their use, a just and complete indemnification for all costs of suit, and for all losses and damages which the owner or owners may have actually sustained by such capture and detention, and it is agreed that the indemnification shall be as follows:

Courts to determine claims for damages,

to make complete indemnification.

First. In case of total loss, the claimant or claimants shall be indemnified —

In case of total loss.

(A.) For the ship, her tackle, equipment and stores.

(B.) For all freights due and payable.

(C.) For the value of the cargo of merchandise, if any, deducting all charges, and expenses which would have been payable upon the sale of such cargo, including commission of sale.

(D.) For all other regular charges in such case of total loss.

Secondly. In all other cases (save as hereinafter mentioned) not of total loss, the claimant or claimants shall be indemnified —

In other cases.

(A.) For all special damages and expenses occasioned to the ship by the detention, and for loss of freight, when due or payable.

(B.) For demurrage when due, according to the schedule annexed to the present article.

(C.) For any deterioration of the cargo.

(D.) For all premium of insurance on additional risks.

The claimant or claimants shall be entitled to interest at the rate of 5 (five) per cent. per annum on the sum awarded, until such sum is paid by the Government to which the capturing ship belongs. The whole amount of such indemnifications shall be calculated in the money of the country to which the detained vessel belongs, and shall be liquidated at the exchange current at the time of the award.

Claimants entitled to interest.

Currency.

The two high contracting parties, however, have agreed, that if it shall be proved to the satisfaction of the judges of the two nations, and without having recourse to the decision of an arbitrator, that the captor has been led into error by the fault of the master or commander of the detained

Demurrage not to be paid in certain cases.

vessel, the detained vessel in that case shall not have the right of receiving, for the time of her detention, the demurrage stipulated by the present article, nor any other compensation for losses, damages, or expenses consequent upon such detention.

Rate of demurrage.

Schedule of demurrage or daily allowance for a vessel of—

100 tons to 120 tons, inclusive	£5 per diem.
121 tons to 150 tons, “	6 “
151 tons to 170 tons, “	8 “
171 tons to 200 tons, “	10 “
201 tons to 220 tons, “	11 “
221 tons to 250 tons, “	12 “
251 tons to 270 tons, “	14 “
271 tons to 300 tons, “	15 “

And so on in proportion.

Judges, registrars, &c. not to demand or receive gifts, &c.

ARTICLE VIII. Neither the judges, nor the arbitrators, nor the secretaries or registrars of the mixed courts of justice, shall demand or receive from any of the parties concerned in the cases which shall be brought before such courts any emolument or gift, under any pretext whatsoever, for the performance of the duties which such judges, arbitrators, and secretaries or registrars have to perform.

In case of disability, &c. of any judge, vacancy how filled.

ARTICLE IX. The two high contracting parties have agreed that, in the event of the death, sickness, absence on leave, or any other legal impediment of one or more of the judges or arbitrators composing the above-mentioned courts, respectively, the post of such judge or arbitrator shall be supplied, *ad interim*, in the following manner :

In and for the United States.

First. On the part of the United States, and in that court which shall sit within their territories : if the vacancy be that of the United States judge, his place shall be filled by the United States arbitrator ; and either in that case, or in case the vacancy be originally that of the United States arbitrator, the place of such arbitrator shall be filled by the judge of the United States for the southern district of New York, and the said court, so constituted as above, shall sit, and in all cases brought before them for adjudication shall proceed to adjudge the same, and pass sentence accordingly.

For the United States in Great Britain.

Secondly. On the part of the United States of America, and in those courts which shall sit within the possessions of her Britannic Majesty : if the vacancy be that of the United States judge, his place shall be filled by the United States arbitrator ; and either in that case, or in case the vacancy be originally that of the United States arbitrator, his place shall be filled by the United States Consul, or, in the unavoidable absence of the Consul, by the United States Vice-Consul. In case the vacancy be both of the United States judge and of the United States arbitrator, then the vacancy of the judge shall be filled by the United States Consul, and that of the United States arbitrator by the United States Vice-Consul. But if there be no United States Consul or Vice-Consul to fill the place of the United States arbitrator, then the British arbitrator shall be called in in those cases in which the United States arbitrator would be called in ; and in case the vacancy be both of the United States judge and of the United States arbitrator, and there be neither United States Consul nor Vice-Consul to fill, *ad interim*, the vacancies, then the British judge and the British arbitrator shall sit, and, in all cases brought before them for adjudication, shall proceed to adjudge the same and pass sentence accordingly.

For and in Great Britain.

Thirdly. On the part of her Britannic Majesty, and in those courts which shall sit within the possessions of her said Majesty : if the vacancy be that of the British judge, his place shall be filled by the British arbitrator ; and either in that case, or in case the vacancy be originally that

of the British arbitrator the place of such arbitrator shall be filled by the Governor or Lieutenant-Governor resident in such possession; in his unavoidable absence, by the principal magistrate of the same; or in the unavoidable absence of the principal magistrate, by the secretary of the Government; and the said court, so constituted as above, shall sit, and, in all cases brought before it for adjudication, shall proceed to adjudge the same, and to pass sentence accordingly.

Fourthly. On the part of Great Britain, and in that court which shall sit within the territories of the United States of America: if the vacancy be that of the British judge, his place shall be filled by the British arbitrator; and either in that case or in case the vacancy be originally that of the British arbitrator, his place shall be filled by the British Consul; or in the unavoidable absence of the Consul, by the British Vice-Consul; and in case the vacancy be both of the British judge and the British arbitrator, then the vacancy of the British judge shall be filled by the British Consul, and that of the British arbitrator by the British Vice-Consul. But if there be no British Consul or Vice-Consul to fill the place of British arbitrator, then the United States arbitrator shall be called in in those cases in which the British arbitrator would be called in; and in case the vacancy be both of the British judge and of the British arbitrator, and there be neither British Consul nor Vice-Consul to fill, *ad interim*, the vacancies, then the United States judge and arbitrator shall sit, and in all cases brought before them for adjudication shall proceed to adjudge the same, and pass sentence accordingly.

For Great Britain in the United States.

The chief authority of the place in the territories of either high contracting party where the mixed courts of justice shall sit, shall, in the event of a vacancy arising, either of the judge or the arbitrator of the other high contracting party, forthwith give notice of the same by the most expeditious method in his power to the Government of that other high contracting party, in order that such vacancy may be supplied at the earliest possible period.

Notice of vacancy, how given.

And each of the high contracting parties agrees to supply definitively, as soon as possible, the vacancies which may arise in the above-mentioned courts from death, or from any other cause whatever.

Vacancies to be supplied as speedily as possible.

The undersigned Plenipotentiaries have agreed, in conformity with the XIth article of the treaty signed by them on this day, that the preceding regulations shall be annexed to the said treaty and considered an integral part thereof.

Regulations to be annexed to treaty.

Done at Washington the seventh day of April, in the year of our Lord one thousand eight hundred and sixty-two.

[L. S.]
[L. S.]

WILLIAM H. SEWARD.
LYONS.

And whereas the said treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged at London, on the twentieth ultimo, by Charles Francis Adams, Esq., Envoy Extraordinary and Minister Plenipotentiary of the United States at the Court of St. James, and Earl Russell, her Britannic Majesty's Principal Secretary of State for Foreign Affairs, on the part of their respective Governments.

Exchange of ratifications.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, have caused the said treaty to be made public, to the end that the same and every clause and article thereof may be observed and fulfilled with good faith by the United States and the citizens thereof.

Proclaimed.

TREATY WITH GREAT BRITAIN. APRIL 7, 1862.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[L. S.] Done at the city of Washington, this seventh day of June, in the year of our Lord one thousand eight hundred and sixty-two, and of the independence of the United States [of America] the eighty-sixth.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Ottawa Indians of Blanchard's Fork and Roche De Bœuf. Concluded, June 24, 1862. Ratification advised, with Amendment, July 16, 1862. Amendment accepted, July 19, 1862. Proclaimed, July 28, 1862.

ABRAHAM LINCOLN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: June 24, 1862.

WHEREAS a treaty was made and concluded at the city of Washington, in the District of Columbia, on the twenty-fourth day of June, in the year of our Lord eighteen hundred and sixty-two, by and between William P. Dole, commissioner, on the part of the United States, and the hereinafter named chief and councilmen of the Ottawa Indians of the United Bands of Blanchard's Fork and Roche de Bœuf, now in Franklin county, in the State of Kansas, being duly authorized by said bands, which treaty is in the words and figures following :

Preamble.

Articles of agreement and convention, made and concluded at Washington city, on the twenty-fourth day of June, eighteen hundred and sixty-two, by and between William P. Dole, commissioner, on the part of the United States, and the following named chief and councilmen of the Ottawa Indians of the United Bands of Blanchard's Fork and of Roche de Bœuf, now in Franklin county, Kansas, viz: Pem-ach-wung, chief; John T. Jones, William Hurr, and James Wind, councilmen, they being thereto duly authorized by said tribe.

Contracting parties.

The Ottawa Indians of the United Bands of Blanchard's Fork and of Roche de Bœuf, having become sufficiently advanced in civilization, and being desirous of becoming citizens of the United States, it is hereby agreed and stipulated that their organization, and their relations with the United States, as an Indian tribe, shall be dissolved and terminated at the expiration of five years from the ratification of this treaty; and from and after that time the said Ottawas, and each and every one of them, shall be deemed and declared to be citizens of the United States, to all intents and purposes, and shall be entitled to all the rights, privileges, and immunities of such citizens, and shall, in all respects, be subject to the laws of the United States, and of the state or states thereof in which they may reside: *Provided, further,* That John T. Jones, now a member of the Ottawas, being an educated and experienced man withal, having given many evidences of devotion and loyalty to the Government of the United States, he is, at his request and that of the Ottawas, hereby declared to be a citizen of the United States, exempt from the restrictions hereinafter provided, concerning the purchase, alienation, or encumbrance of the Ottawa lands; and after all the selections and allotments herein provided for are made, he is hereby authorized to locate and purchase of the Secretary of the Interior any of the remaining lands of said Ottawas at \$1.25 per acre; but this article shall not deprive the said Jones of any of the pecuniary benefits of this treaty as an Ottawa Indian.

Certain Ottawa Indians to become citizens of the United States in five years.

John T. Jones declared to be a citizen.

[This proviso stricken out. See amendment, p. 320.]

ARTICLE II. It is hereby made the duty of the Secretary of the Interior to cause a survey of the reservation of the said Ottawas to be made as soon as practicable after the ratification of this treaty, dividing it into 80-acre tracts, with marked stones set at each corner; and said Ottawas having already caused their reservation to be surveyed, and quarter-section

Reservation of the Ottawas to be surveyed.

stones set, it is hereby stipulated that such survey shall be adopted, in so far as it shall be found correct.

Sections of land reserved to remunerate chiefs, &c.

ARTICLE III. It being the wish of said tribe of Ottawas to remunerate several of the chiefs, councilmen, and headmen of the tribe, for their services to them many years without pay, it is hereby stipulated that five sections of land is [are] reserved and set apart for that purpose, to be apportioned among the said chiefs, councilmen, and headmen as the members of the tribes shall in full council determine; and it shall be the duty of the Secretary of the Interior to issue patents, in fee simple, of said lands, when located and apportioned, to said Indians. In addition thereto, said last-named persons, and each and every head of a family in said tribe, shall receive 160 acres of land, which shall include his or her house and all improvements, so far as practicable; and all other members of the tribe shall receive 80 acres of land each, and all the locations for the heads of families, made in accordance with this treaty, shall be made adjoining, and in as regular and compact form as possible, and with due regard to the rights of each individual and of the whole tribe.

Patents to issue.

Heads of families to receive 160 acres of land; others to have 80 acres.

Annuities.

ARTICLE IV. To enable said tribe to establish themselves more fully in agriculture, and gradually to increase their preparations for assuming the responsibilities and duties of citizenship, it is stipulated that, subject to the limitations hereinafter mentioned, the sum of eighteen thousand (\$18,000) dollars shall be paid to said tribe in the manner of annuities, out of their moneys now in the hands of the United States, in September, 1862, and subject to the limitations of this treaty. There shall be paid to them in four equal annual payments thereafter, as near as may be, all the moneys which the United States hold, or may hold, in anywise for them, with accruing interest on all moneys remaining with the United States.

Debts.

ARTICLE V. It being the desire of the tribe to pay all lawful and just debts against them contracted since they were removed to Kansas, it is agreed that such demands as the council of the tribe and the agent shall approve, when confirmed by the Secretary of the Interior, may be received in payment for the lands hereinafter provided to be sold, or otherwise such debts shall be paid out of the funds of said Ottawas, but in no case shall more than \$15,000 be allowed and paid for such debts.

Lands to be set apart for endowing a school.

ARTICLE VI. The Ottawas deeming this a favorable opportunity to provide for the education of their posterity, and feeling that they are able to do so by the cooperation of the United States, now, in pursuance of this desire of the Ottawas, after the selections and allotments herein provided have been made, there shall be set apart, under the direction of the Secretary of the Interior, twenty thousand acres of average lands for the purpose of endowing a school for the benefit of said Ottawas; also one section of land, upon which said school shall be located, which section of land shall be inalienable, and upon which, and all the appurtenances and property for school purposes thereon, no tax shall ever be laid by any authority whatever.

Locating school.

No tax.

Management of school lands.

Five thousand acres of said land may be sold by the trustees hereinafter named, the proceeds of which may be devoted to the erection of proper buildings and improvements upon said section for reception of the pupils; and the residue of the school lands may, in like manner, be sold from time to time, as full prices can be obtained for the same. The money received therefor shall be loaned upon good real estate security, to be improved farms in the county of the reservation, the same not to be a security for more than half the appraised value of the land as returned by the county assessor, and no land to be taken as security for such loan or loans which shall be encumbered in any manner, or the title to which shall have been derived from or held by any judicial, administrator, or executor's sale, or by the sale of any person acting in a fiduciary capacity. The security shall never be avoided on account of any rate of interest re-

served, and the interest only shall be applied to the support of the school, so that the principal sum shall never be diminished.

And to the end that the Ottawas may derive the greatest advantage from said school, the pupils shall be instructed and practised in industrial pursuits suitable to their age and sex, as well as in such branches of learning as the means of the institution and the capacity of the pupils will permit.

What to be taught in the school.

The lands hereby set apart shall not be subject to taxation until they are sold. They may be sold upon such credit as the trustees may think most for the interest of the enterprise. Security for the payment shall be taken with interest, the interest to be paid annually; but no title shall be made until the purchase-money is all paid.

Lands not subject to taxation, until, &c.

John T. Jones, James Wind, William Hurr, Joseph King, who are Ottawas, and John G. Pratt, and two other citizens of Kansas, who shall be elected by the said Ottawa Indians, are, by the parties agreed, to be trustees to manage the funds and property by this article set apart. They and their successors shall have the control and management of the school, and the funds arising from the sales of lands set apart therefor, and also the reserved section whereon the school is situated. Upon the death, resignation, or refusal to act, by either of them, the vacancy shall be filled by the survivors, provided that the board of trustees shall always have three white citizens members of said board.

Trustees to manage the property.

A majority of the trustees shall form a quorum to transact business, but there shall be two of the white trustees present at the transaction of business. All acts of the trustees shall be recorded in a book or books to be by them kept for that purpose, and the proceedings of each meeting shall be signed by the president, to be by them elected out of their number. They shall also elect a treasurer and secretary from their number. All contracts of the trustees shall be in the name of their treasurer, who shall be competent to sue and be sued in all matters affecting the trust; he shall give bond conditioned for the faithful discharge of his duty, and the proper accounting for all money or property of the trust coming to his hands, with at least two good freehold sureties, in the penalty of ten thousand dollars, to be approved by a judge of a court of record in Kansas.

Majority to form quorum.

Records.

Treasurer and secretary.

Contracts.

Bond of treasurer.

And the secretary and treasurer may be allowed, from time to time, such sum, from the proceeds of the trust, as the trustees in their judgment shall think just. Upon a sale of any of the lands by the trustees, upon their request, the same shall be conveyed by the United States, by patent, to the purchaser.

Upon sales, the United States to give patent to purchaser.

And it is hereby expressly provided and agreed that the children of the Ottawas and their descendants, no matter where they may emigrate, shall have the right to enter said school and enjoy all the privileges thereof, the same as though they had remained upon the lands by this treaty allotted.

Who may enjoy the privileges of the school.

ARTICLE VII. There shall be set apart ten acres of land for the benefit of the Ottawa Baptist Church, and said land shall include the church buildings, mission-house, and grave-yard, and the title to said property shall be vested in a board of five trustees, to be appointed by said church, in accordance with the laws of the State of Kansas.

Land set apart for the Ottawa Baptist Church, &c.

And in respect for the memory of Rev. J. Meeker, deceased, who labored with unselfish zeal for nearly twenty years among said Ottawas, greatly to their spiritual and temporal welfare, it is stipulated that 80 acres of good land shall be, and hereby is, given, in fee-simple, to each of the two children of said Meeker, viz: Emmeline and Eliza; their lands to be selected and located as the other allotments herein provided are to be selected and located, which lands shall be inalienable the same as the lands allotted to the Ottawas.

Land to each of the children of Rev. J. Meeker.

And all the abovementioned selections of lands shall be made by the

Lands, how selected.

agent of the tribe, under the direction of the Secretary of the Interior. And plats and records of all the selections and locations shall be made, and upon their completion and approval proper patents by the United States shall be issued to each individual member of the tribe and person entitled for the lands selected and allotted to them, in which it shall be stipulated that no Indian, except as herein provided, to whom the same may be issued, shall alienate or encumber the land allotted to him or her in any manner, until they shall, by the terms of this treaty, become a citizen of the United States; and any conveyance or encumbrance of said lands, done or suffered, except as aforesaid, by any Ottawa Indian, of the lands allotted to him or her, made before they shall become a citizen, shall be null and void.

Plats and records.

Not alienable.

And forty acres, including the houses and improvements of the allottee, shall be inalienable during the natural lifetime of the party receiving the title: *Provided*, that such of said Indians as are not under legal disabilities by the local laws may sell to each other such portions of their lands as are subject to sale, with the consent of the Secretary of the Interior, at any time.

Census.

ARTICLE VIII. That upon the ratification of this treaty a census of all the Ottawas entitled to land or money under the treaty shall be taken under the direction of the Secretary of the Interior.

Money of minors.

The principal to be paid to the minors shall be paid to their parents, unless the council of the tribe shall object because of the incompetency of the parent, growing out of ignorance, profligacy, or any other good cause; the council may also object to the payment of the money to any such incompetent which may be coming to himself or herself; and in all such cases the principal sum shall be withheld, and only the annuity paid, until such minor comes of age, or the disability is removed by the action of the council: *Provided, further*, That the money of minors may, in all cases, be paid to guardians appointed by the local laws.

After locations, &c., are made, the rest of the land may be sold to actual settlers.

ARTICLE IX. It being the desire of the said Ottawas, in making this treaty, to insure, as far as possible, the settlement of their reservation by industrious whites, whose example shall be of benefit to the tribe at large, it is stipulated that after all the abovementioned locations, assignments, and sales are made, the remainder of the land shall be sold to actual settlers at not less than \$1.25 per acre, in the following manner: Any white person desiring to obtain any unsold, unlocated tract of the land, may file his proposition, in writing, with the agent of the Ottawas, for the purchase of the tract, stating the price which he proposes to pay for said tract, not less than \$1.25 per acre, a copy of which proposition, as well as all others herein contemplated, shall be posted for thirty days, dating from the first posting at the agency, in some conspicuous place; and if no person will propose a better price therefor within thirty days next after the first posting, in which further proposition the first person may join, he, or such other person as shall have offered the best price, shall, upon the payment of one quarter of the price offered, be taken and deemed the purchaser of said tract, and shall be entitled to a patent therefor from the United States at the end of one year, if he shall pay the remainder of the price offered, have occupied the land, and placed lasting and valuable improvements upon said tract to the extent and value of two hundred dollars to each quarter-section entered: *Provided*, That if said Ottawas, by their council, shall, at any time before any person shall become the purchaser of any tract of land, file their protest in writing against such purchaser, he shall not be permitted to enter upon said lands or become the purchaser thereof, and white persons not purchasers shall not be permitted to settle upon said lands, it being the duty of the agent to prevent such settlement, or their occupancy by the whites who are not purchasers, and only to the extent of their purchase: *And provided, further*, That if any purchaser shall fail to pay for the land by him purchased under this

Mode of sale.

treaty at the time stipulated, it shall be the duty of the agent to dispossess him as an intruder upon the lands, and his advances, payments, and all his improvements, shall enure to the benefit of the Ottawas, and the land shall be sold for their benefit, as herein provided. But no person under this article shall be entitled to enter more than 320 acres.

And all the lands which are not thus entered with the agent within two years from the ratification of this treaty may, upon the request of the council, be offered for sale at not less than \$1.25 per acre, upon a credit of one year, under the direction of the Secretary of the Interior; and if any lands thereafter remain unsold, they may be sold upon such terms as the council of said tribe and the Secretary of the Interior shall mutually agree upon. And all the moneys derived from the sales of the above-described lands shall be paid at the time and place where the Secretary of the Interior may direct.

ARTICLE X. And it is stipulated that the United States shall pay to the said Ottawas the claims for stolen ponies, cattle, and timber, already reported and approved by the Secretary of the Interior, amounting to \$13,005 ⁹⁰/₁₀₀. And also other claims for damages within two years, or since the taking of testimony for the abovementioned damages, upon the presentation of sufficient proof: *Provided*, Such lastmentioned claims shall not exceed \$3,500.

Ottawas to be paid claims allowed for stolen ponies cattle, &c.

ARTICLE XI. It is hereby made the duty of the Indian Department to appoint an interpreter for said tribe, in the customary manner, to be continued during the pleasure of the Secretary of the Interior. And it is expressly understood that all expenses incurred by the stipulations of this treaty shall be paid out of the funds of the aforementioned tribe of Ottawas, and their annuities shall be paid semi-annually.

Interpreter.

Expenses of this treaty.

In testimony whereof, the said Wm. P. Dole, commissioner, as aforesaid, and the undersigned chief and councilmen of the United Bands of Blanchard's Fork and of Roche de Bœuf, in Franklin county, Kansas, have hereunto set their hands and seals at the place and on the day and year hereinbefore written.

Signature.

WM. P. DOLE, *Commissioner*.
 PEM-ACH-WUNG, his x mark.
 JOHN T. JONES.
 WILLIAM HURR.
 JAMES WIND.

[SEAL.]
 [SEAL.]
 [SEAL.]
 [SEAL.]
 [SEAL.]

Interpreted by John T. Jones, and signed by the respective parties in presence of—

CLINTON C. HUTCHINSON, *Indian Agent*.
 CHARLES E. MIX.
 ANTOINE GOKEY, his x mark, *United States Interpreter*.

And whereas the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the sixteenth day of July, one thousand eight hundred and sixty-two, advise and consent to the ratification of the same by a resolution, and with an amendment, in the words and figures following, to wit:

Ratification, with amendment

IN SENATE OF THE UNITED STATES, July 16th, 1862.

Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the articles of agreement and convention, made and concluded at Washington city, on the twenty-fourth day of June, eighteen hundred and sixty-two, by and between William P. Dole, commissioner, on the part of the United States, and the following named chief and councilmen of the Ottawa Indians of the United Bands of Blanchard's Fork and of Roche de Bœuf, now in

TREATY WITH THE OTTAWA INDIANS. JUNE 24, 1862.

Franklin county, Kansas, viz: Pem-ach-Wung, chief; John T. Jones, William Hurr, and James Wind, councilmen, they being thereto duly authorized by said tribe, with the following

Amendment.

AMENDMENT :

Strike out from the first article the following proviso :

" *Provided, further,* That John T. Jones, now a member of the Ottawas, being an educated and experienced man withal, having given many evidences of devotion and loyalty to the Government of the United States, he is, at his request and that of the Ottawas, hereby declared to be a citizen of the United States, exempt from the restrictions hereinafter provided, concerning the purchase, alienation, or encumbrance of the Ottawa lands; and after all the selections and allotments herein provided for are made, he is hereby authorized to locate and purchase of the Secretary of the Interior any of the remaining lands of said Ottawas at one dollar and twenty-five cents per acre; but this article shall not deprive the said Jones of any of the pecuniary benefits of this treaty as an Ottawa Indian."

Attest :

J. W. FORNEY, *Secretary,*
By W. HICKEY, *Chief Clerk.*

And whereas the foregoing amendment having been fully interpreted and explained to the aforesaid chief and councilmen of the Ottawa Indians, they did, on the nineteenth day of July, one thousand eight hundred and sixty-two, at Washington City, in the District of Columbia, agree to and ratify the same in the words and figures following, to wit :

Amendment
assented to.

Whereas the Senate of the United States did, on the 16th day of July, A. D. 1862, advise and consent to the ratification of the "articles" of agreement and convention, made and concluded at Washington City on the twenty-fourth day of June, eighteen hundred and sixty-two, between William P. Dole, commissioner, on the part of the United States, and certain chief and councilmen representing the Ottawa tribe of Indians, with the following

AMENDMENT, VIZ :

Strike out from the first article the following proviso :

" *Provided, further,* That John T. Jones, now a member of the Ottawas, being an educated and experienced man withal, having given many evidences of devotion and loyalty to the Government of the United States, he is, at his request and that of the Ottawas, hereby declared to be a citizen of the United States, exempt from the restrictions hereinafter provided, concerning the purchase, alienation, or encumbrance of the Ottawa lands; and after all the selections and allotments herein provided for are made, he is hereby authorized to locate and purchase of the Secretary of the Interior any of the remaining lands of said Ottawas at one dollar and twenty-five cents per acre; but this article shall not deprive the said Jones of any of the pecuniary benefits of this treaty as an Ottawa Indian."

We, the undersigned chief and councilmen, representing the Ottawa tribe of Indians, having heard the foregoing amendment read, and the same having been fully explained to us by our interpreter, do hereby agree to and ratify the same.

PEM-ACH-WUNG, his x mark.
J. T. JONES.
WILLIAM HURR.
JAMES WIND.

[SEAL.]
[SEAL.]
[SEAL.]
[SEAL.]

Interpreted by John T. Jones, and signed by the respective parties in presence of—

CLINTON C. HUTCHINSON, *U. S. Ind. Agt.*

WM. P. DOLE.

CHARLES E. MIX.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the sixteenth day of July, eighteen hundred and sixty-two, accept, ratify, and confirm said treaty, with the amendment as aforesaid.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, having signed the same with my hand.

Done at the city of Washington, this twenty-eighth day of July, in the year of our Lord eighteen hundred and sixty-two, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

Treaty between the United States of America and the Republic of Liberia. Commerce and Navigation. Concluded at London, October 21, 1862. Ratifications exchanged, February 10, 1863. Proclaimed by the President of the United States, March 18, 1863.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: October 21, 1862.

A PROCLAMATION.

WHEREAS a treaty between the United States of America and the Republic of Liberia was concluded and signed by their respective plenipotentiaries, at London, on the twenty-first day of October last, which treaty is, word for word, as follows:

Preamble.

The United States of America and the Republic of Liberia, desiring to fix, in a permanent and equitable manner, the rules to be observed in the intercourse and commerce they desire to establish between their respective countries, have agreed, for this purpose, to conclude a treaty of commerce and navigation, and have judged that the said end cannot be better obtained than by taking the most perfect equality and reciprocity for the basis of their agreement; and to effect this they have named as their respective plenipotentiaries, that is to say: the President of the United States of America, Charles Francis Adams, envoy extraordinary and minister plenipotentiary of the United States of America at the court of St. James; and the Republic of Liberia, His Excellency Stephen Allen Benson, President thereof, who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

Contracting parties.

ARTICLE I. There shall be perpetual peace and friendship between the United States of America and the Republic of Liberia, and also between the citizens of both countries.

Peace and friendship.

ARTICLE II. There shall be reciprocal freedom of commerce between the United States of America and the Republic of Liberia. The citizens of the United States of America may reside in, and trade to, any part of the territories of the Republic of Liberia to which any other foreigners are or shall be admitted. They shall enjoy full protection for their persons and properties; they shall be allowed to buy from and to sell to whom they like, without being restrained or prejudiced by any monopoly, contract, or exclusive privilege of sale or purchase whatever; and they shall, moreover, enjoy all other rights and privileges which are or may be granted to any other foreigners, subjects, or citizens of the most favored nation. The citizens of the Republic of Liberia shall, in return, enjoy similar protection and privileges in the United States of America and in their territories.

Reciprocal freedom of commerce.

ARTICLE III. No tonnage, import, or other duties or charges shall be levied in the Republic of Liberia on United States vessels, or on goods imported or exported in United States vessels, beyond what are or may be levied on national vessels, or on the like goods imported or exported in national vessels; and in like manner no tonnage, import, or other duties or charges shall be levied in the United States of America and their territories on the vessels of the Republic of Liberia, or on goods imported or exported in those vessels, beyond what are or may be levied on national vessels, or on the like goods imported or exported in national vessels.

Tonnage, import, and other duties.

ARTICLE IV. Merchandise or goods coming from the United States of America in any vessels, or imported in United States vessels from any

Goods in United States vessels not to be prohibited, &c.

country, shall not be prohibited by the Republic of Liberia, nor be subject to higher duties than are levied on the same kinds of merchandise or goods coming from any other foreign country or imported in any other foreign vessels. All articles the produce of the Republic of Liberia may be exported therefrom by citizens of the United States and United States vessels, on as favorable terms as by the citizens and vessels of any other foreign country.

Goods in Liberian vessels.

In like manner all merchandise or goods coming from the Republic of Liberia in any vessels, or imported in Liberian vessels from any country, shall not be prohibited by the United States of America, nor be subject to higher duties than are levied on the same kinds of merchandise or goods coming from any other foreign country or imported in any other foreign vessels. All articles the produce of the United States, or of their territories, may be imported therefrom by Liberian citizens and Liberian vessels on as favorable terms as by the citizens and vessels of any other foreign country.

Vessels wrecked or damaged.

ARTICLE V. When any vessel of either of the contracting parties shall be wrecked, foundered, or otherwise damaged on the coasts, or within the territories of the other, the respective citizens shall receive the greatest possible aid, as well for themselves as for their vessels and effects. All possible aid shall be given to protect their property from being plundered and their persons from ill treatment. Should a dispute arise as to the salvage, it shall be settled by arbitration, to be chosen by the parties respectively.

Disputes as to salvage.

Privileges of most favored nation.

ARTICLE VI. It being the intention of the two contracting parties to bind themselves by the present treaty to treat each other on the footing of the most favored nation, it is hereby agreed between them that any favor, privilege, or immunity whatever in matters of commerce and navigation, which either contracting party has actually granted, or may hereafter grant, to the subjects or citizens of any other state, shall be extended to the citizens of the other contracting party, gratuitously, if the concession in favor of that other state shall have been gratuitous, or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

Consuls.

ARTICLE VII. Each contracting party may appoint consuls for the protection of trade, to reside in the dominions of the other; but no such consul shall enter upon the exercise of his functions until he shall have been approved and admitted, in the usual form, by the government of the country to which he is sent.

The United States not to interfere, unless solicited, with the domestic concerns of Liberia.

ARTICLE VIII. The United States Government engages never to interfere, unless solicited by the Government of Liberia, in the affairs between the aboriginal inhabitants and the Government of the Republic of Liberia, in the jurisdiction and territories of the Republic. Should any United States citizens suffer loss, in person or property, from violence by the aboriginal inhabitants, and the Government of the Republic of Liberia should not be able to bring the aggressor to justice, the United States Government engages, a requisition having been first made therefor by the Liberian Government, to lend such aid as may be required. Citizens of the United States residing in the territories of the Republic of Liberia are desired to abstain from all such intercourse with the aboriginal inhabitants as will tend to the violation of law and a disturbance of the peace of the country.

Ratifications.

ARTICLE IX. The present treaty shall be ratified, and the ratifications exchanged at London, within the space of nine months from the date hereof.

Signature.

In testimony whereof, the plenipotentiaries before mentioned have hereto subscribed their names and affixed their seals.

Done at London, the twenty-first day of October, in the year one thousand eight hundred and sixty-two.

CHARLES FRANCIS ADAMS, [SEAL.]
STEPHEN ALLEN BENSON, [SEAL.]

And whereas the said treaty has been duly ratified on both parts, and the respective ratifications of the same were exchanged at London, on the tenth ultimo, by Charles Francis Adams, Esquire, Envoy Extraordinary and Minister Plenipotentiary of the United States at the Court of St. James, and Gerard Ralston, Esquire, Consul-General and Commissioner for and on behalf of the Republic of Liberia, on the part of their respective governments: Exchange of ratifications.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, have caused the said treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled, with good faith, by the United States and the citizens thereof. Proclaimed.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, this eighteenth day of March, [L. s.] in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

Treaty with the Chippewas of the Mississippi, and the Pillager and Lake Winibigoshish bands of Chippewa Indians in Minnesota. Concluded at Washington, in the District of Columbia, March 11, 1863. Ratified, March 13, 1863, with Amendments. Amendments agreed to, March 14, 1863. Proclaimed by the President of the United States, March 19, 1863.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: March 11, 1863.

WHEREAS a treaty was made and concluded at the city of Washington, in the District of Columbia, on the eleventh day of March, in the year of our Lord one thousand eight hundred and sixty-three, by and between William P. Dole, commissioner of Indian affairs, and Clark W. Thompson, superintendent of Indian affairs of the northern superintendency, on the part of the United States, and Henry M. Rice, of Minnesota, and the hereinafter named chiefs and headmen, for and on behalf of the Chippewas of the Mississippi, and the Pillager and Lake Winibigoshish bands of Chippewa Indians in Minnesota, and duly authorized thereto by them, which treaty is in the words and figures following, to wit:

Preamble.

Articles of agreement and convention, made and concluded at the city of Washington, this eleventh day of March, A. D. one thousand eight hundred and sixty-three, between William P. Dole, commissioner of Indian affairs, and Clark W. Thompson, superintendent of Indian affairs of the northern superintendency, on the part of the United States, and Henry M. Rice, of Minnesota, for and on behalf of the Chippewas of the Mississippi, and the Pillager and Lake Winibigoshish bands of Chippewa Indians in Minnesota:

Contracting parties.

ARTICLE I. The reservations known as Gull Lake, Mille Lac, Sandy Lake, Rabbit Lake, Pokagomin Lake, and Rice Lake, as described in the second clause of the second article of the treaty with the Chippewas of the 22d February, 1855, are hereby ceded to the United States, excepting one half section of land, including the mission buildings at Gull Lake, which is hereby granted in fee simple to the Reverend John Johnson, missionary.

Certain reservations ceded to the United States, except, &c.

ARTICLE II. In consideration of the foregoing cession, the United States agree to set apart for the future homes of the Chippewas of the Mississippi, all the lands embraced within the following described boundaries, excepting the reservations made and described in the third clause of the second article of the said treaty of February 22d, 1855, for the Pillager and Lake Winibigoshish bands; that is to say, beginning at a point one mile south of the most southerly point of Leech Lake, and running thence in an easterly course to a point one mile south of the most southerly point of Goose Lake; thence due east to a point due south from the intersection of the Pokagomin reservation and the Mississippi river; thence on the dividing line between "Deer River and Lakes" and "Mashkorden's River and Lakes," until a point is reached north of the first named river and lakes; thence in a direct line northwestwardly to the outlet of "Two-Routes Lake;" thence in a southwesterly direction to the northwest corner of the "Cass Lake" reservation; thence in a southwesterly direction to "Karbekaun" river; thence down said river to the

Reservation set apart in lieu thereof.

Boundaries.

lake of the same name; thence due south to a point due west from the beginning; thence to the place of beginning.

Annuities.

ARTICLE III. In consideration of the foregoing cession to the United States, and the valuable improvements thereon, the United States further agree: 1st. To extend the present annuities of the Indians, parties to this treaty, for ten years beyond the periods respectively named in existing treaties; 2nd. And to pay toward the settlement of the claims for depredations committed by said Indians in 1862, the sum of thirty thousand dollars; 3d. To enable said Indians to pay their present just engagements, the sum of thirty thousand dollars, as the chiefs in council may direct; 4th. To the chiefs of the Chippewas of the Mississippi, sixteen thousand dollars, (provided they shall pay to the chiefs of the Pillager and Lake Wini-bigoshish bands one thousand dollars,) to be paid upon the signing of this treaty, out of the arrearages due under the 9th article of the treaty concluded at La Pointe, in the State of Wisconsin, on the 30th September, 1854; 5th. And to pay the expenses incurred by the legislature of the State of Minnesota, in the month of September, 1862, in sending commissioners to visit the Chippewa Indians, amounting to thirteen hundred and thirty-eight dollars and seventy-five cents.

See Amend-
ments, p. 331.

Reservation to
be cleared, &c., in
lots.

See Amend-
ments, p. 331.

Houses for
chiefs.

ARTICLE IV. The United States further agree to clear, stump, grub, and break in, the reservation hereby set apart for the Chippewas of the Mississippi, in lots of not less than ten acres each, at such point or points as the chiefs of each band may select, as follows, viz: For the Gull Lake band, seventy acres; for the Mille Lac band, seventy acres; for the Sandy Lake band, fifty acres; for the Pokagomin band, fifty acres; for the Rabbit Lake band, forty acres; for the Rice Lake band, twenty acres; and to build for the chiefs of said bands one house each, of the following description: to be constructed of hewn logs; to be sixteen by twenty feet each, and two stories high; to be roofed with good shaved pine shingles; the floors to be of seasoned pine-plank, jointed; stone or brick fire places and chimneys; three windows in lower story and two in the upper story, with good substantial shutters to each, and suitable doors; said houses to be pointed with lime mortar.

Oxen and tools.

See Amend-
ments, p. 331.

Carpenters,
blacksmiths, &c.

Sawmill.

See Amend-
ments, p. 331.

ARTICLE V. The United States agree to furnish to said Indians, parties to this treaty, ten yoke of good, steady, work oxen, and twenty log chains, annually, for ten years, provided the Indians shall take proper care of, and make proper use of the same; also, for the same period, annually, two hundred grubbing hoes, ten ploughs, ten grind stones, one hundred axes, handled, not to exceed in weight three and one half pounds each; twenty spades. Also two carpenters and two blacksmiths, and four farm laborers, and one physician.

Board of visit-
ors to be present
at annuity pay-
ments.

See Amend-
ments, p. 331.

ARTICLE VI. The United States further agree to remove the sawmill from Gull Lake reservation, to such point on the new reservation hereby set apart as may be selected by the agent, and to keep the same in good running order, and to employ a competent sawyer, so long as the President of the United States may deem it necessary; and to extend the road between Gull Lake and Leech Lake, from the last named lake to the junction of the Mississippi and Leech Lake Rivers; and to remove the agency to said junction, or as near thereto as practicable.

ARTICLE VII. There shall be a board of visitors, to consist of not less than two nor more than five persons, to be selected from such Christian denomination or denominations as the chiefs in council may designate, whose duty it shall be to be present at all annuity payments to the Indians, whether of goods, moneys, provisions, or other articles, and to inspect the fields, buildings, mills, and other improvements, made or to be made, and to report annually thereon on or before the first day of November; and also as to the qualifications and moral deportment of all persons residing upon the reservation under the sanction of law or regulation; and they shall receive for their services five dollars per day for

the time actually employed, and ten cents per mile for travelling expenses, provided that no one shall be paid in any one year for more than twenty days' service, or for more than three hundred miles' travel.

How selected, report, pay.

ARTICLE VIII. No person shall be recognized as a chief whose band numbers less than fifty persons; and to encourage and aid the said chiefs in preserving order and inducing by their example and advice the members of their respective bands to adopt the pursuits of civilized life, there shall be paid to each of said chiefs, annually, out of the annuities of said bands, a sum not exceeding one hundred and fifty dollars, to be determined by their agent, according to their respective merits.

Who not to be recognized as chiefs.

See Amendments, p. 331.

ARTICLE IX. To improve the morals and industrial habits of said Indians, it is agreed that no agent, teacher, interpreter, traders, or their employes, shall be employed, appointed, licensed, or permitted to reside within the reservations belonging to the Indians, parties to this treaty, missionaries excepted, who shall not have a family residing with them at their respective places of employment or trade within the agency, whose moral habits and fitness shall be reported upon annually by the board of visitors, and no person of full or mixed blood, educated or partially educated, whose fitness, morally or otherwise, is not conducive to the welfare of said Indians, shall receive any benefits from this or any former treaties, and may be expelled from the reservation.

Agents, teachers, &c., to have families, and be of good moral character.

See Amendments, p. 331.

ARTICLE X. All annuities under this or former treaties shall be paid as the chiefs in council may request, with the approval of the Secretary of the Interior, until otherwise altered or amended, which shall be done whenever the board of visitors, by the request of the chiefs, may recommend it, provided that no change shall take place oftener than once in two years.

Payment of annuities.

See Amendments, p. 332.

ARTICLE XI. Whenever the services of laborers are required upon the reservation, preference shall be given to full or mixed bloods, if they shall be found competent to perform them.

Laborers to be full or mixed bloods, where competent.

ARTICLE XII. It shall not be obligatory upon the Indians, parties to this treaty, to remove from their present reservations, until the United States shall have first complied with the stipulations of Articles IV. and VI. of this treaty, when the United States shall furnish them with all necessary transportation and subsistence to their new homes, and subsistence for six months thereafter: *Provided*, That, owing to the heretofore good conduct of the Mille Lac Indians, they shall not be compelled to remove so long as they shall not in any way interfere with or in any manner molest the persons or property of the whites.

Indians not to remove from present reservations, until, &c.

Mille Lac Indians.

ARTICLE XIII. Female members of the family of any government employe residing on the reservation, who shall teach Indian girls domestic economy, shall be allowed and paid a sum not exceeding ten dollars per month while so engaged: *Provided*, That not more than one thousand dollars shall be so expended during any one year, and that the President of the United States may suspend or annul this article whenever he may deem it expedient to do so.

Female teachers.

ARTICLE XIV. It is distinctly understood and agreed that the clearing and breaking of land for the Chippewas of the Mississippi, as provided for in the fourth article of this treaty, shall be in lieu of all former engagements of the United States as to the breaking of lands for those bands.

Clearing and breaking, in lieu of former engagements.

In testimony whereof, the said William P. Dole and Clark W. Thompson, on behalf of the United States, and Henry M. Rice and the undersigned chiefs and headmen, on behalf of the Indians, parties to this treaty, have hereunto set their hands and affixed their seals this eleventh day of March, A. D. one thousand eight hundred and sixty-three.

Signature.

CLARK W. THOMPSON, [SEAL.]
Supt. of Indian Affairs for the Northern Superintendency.

HENRY M. RICE, [SEAL.]

Gull Lake Band.

QUI-WE-SHEN-SHISH, or Bad Boy, his x mark. [SEAL.]
 WA-BO-GEEG, or White Fisher, his x mark. [SEAL.]
 J. JOHNSON, [SEAL.]

Rabbitt Lake Band.

ME-JAW-KE-KE-SHICK, or Sky that Touches the Ground, his x mark. [SEAL.]
 AH-AH-JAW-WA-KE-SHICK, Crossing Sky, his x mark. [SEAL.]
 NAW-GAW-NE-GAW-BOW, or One Standing Ahead, his x mark. [SEAL.]

Sandy Lake and Rice Lake Bands.

AW-AW-BEDWAY-WE-DUNG, or Returning Echo, his x mark. [SEAL.]

Po-ke-ga-ma Band.

MA-YA-JE-WAY-WE-DUNG, or Chorrister, his x mark. [SEAL.]

Mille Lac Band.

SHOB-OSH-KUNK, or Passes under Everything, his x mark. [SEAL.]
 ME-NO-MIN-E-KE-SHEN, or Rice-maker, his x mark. [SEAL.]
 PE-DUD-ENCE, Rat's Liver, his x mark. [SEAL.]
 TE-DAW-KAW-MO-SAY, Walking to and fro, his x mark. [SEAL.]
 MOSE-O-MAN-NAY, or Moose, his x mark. [SEAL.]
 WAY-SA-WA-GWON-AIB, Yellow Feather, his x mark. [SEAL.]
 ME-NO-KE-SHICK, or Fine Day, his x mark. [SEAL.]

Pillager Band of Leech Lake.

BE-SHE-KEE, or Buffalo, his x mark. [SEAL.]
 NAW-BON-E-AUSH, Young Man's Son, his x mark. [SEAL.]
 O-GE-MA-WAY-CHE-WAIB, Chief of the Mountain, his x mark. [SEAL.]
 KE-ME-WEN-AUSH, Raining Wind, his x mark. [SEAL.]
 KEH-BEH-NAW-GAY, the Winner, his x mark. [SEAL.]

Winne-pe-go-shish Band.

KOB-MUB-BEY, or North Star, his x mark. [SEAL.]
 MIS-CO-PE-NEN-SHEY, Red Bird, his x mark. [SEAL.]

Cass Lake Band.

MAW-JE-KE-SHICK, Travelling Sky, his x mark. [SEAL.]
 MA-NE-TO-KE-SHICK, Spirit of the Day, his x mark. [SEAL.]
 O-GEE-TUB, the Trader, his x mark. [SEAL.]

Executed in presence of —

E. A. C. HATCH,
 GEO. C. WHITING,
 A. S. H. WHITE,
 GEORGE FULLER,
 JAMES WHITEHEAD,
 D. GEO. MORRISON,
 PAUL H. BEAUBIEN, *U. S. Interpreter.*
 PETER ROY, *Interpreter.*
 J. G. MORRISON, *Interpreter.*
 JAMES THOMPSON.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the thirteenth day of March, one thousand eight hundred and sixty-three, advise and consent to the ratification of the same by a resolution with amendments in the words and figures following, to wit:

"IN EXECUTIVE SESSION,
"SENATE OF THE UNITED STATES, March 13, 1863.

"Resolved, (two thirds of the Senators present concurring,) That the Senate advise and consent to the ratification of the 'articles of agreement and convention made and concluded at the city of Washington, the 11th day of March, A. D. one thousand eight hundred and sixty-three, between William P. Dole, commissioner of Indian affairs, and Clark W. Thompson, superintendent of Indian affairs of the northern superintendency, on the part of the United States, and Henry M. Rice, of Minnesota, for and on behalf of the Chippewas of the Mississippi, and the Pillager and Lake Winibigoshish bands of Chippewa Indians in Minnesota,' with the following

"AMENDMENTS :

"Article 3, line 8, strike out 'thirty thousand,' and insert: 'twenty thousand.'

"Article 3, line 9, after the word 'dollars' insert: 'Or so much thereof as may be necessary, provided that no money shall be paid under this item, except upon claims which have been duly adjudicated and found to be due under existing treaties, from said Indians, and allowed by the Secretary of the Interior, or under his direction.'

"Article 3, lines 9, 10, and 11, strike out the following words: '3rd, To enable said Indians to pay their present just engagements, the sum of thirty thousand dollars, as the chiefs in council may direct.'

"Article 4. At the end thereof, insert: 'Provided, That the amount expended under this article shall not exceed the sum of three thousand six hundred dollars.'

"Article 5. At the end thereof insert: 'Not exceeding, in the aggregate, one thousand dollars.'

"Article 6. At the end thereof insert: 'But not more than three thousand dollars shall be expended for this purpose.'

"Article 7. Strike out this article, and in lieu thereof insert the following:

"ARTICLE VII. The President shall appoint a board of visitors, to consist of not less than two nor more than three persons, to be selected from such Christian denominations as he may designate, whose duty it shall be to attend the annuity payments to the Indians, and to inspect the fields and other improvements of the Indians, and to report annually thereon on or before the first of November; and also as to the qualifications and moral deportment of all persons residing upon the reservation under the authority of law; and they shall receive for their services five dollars per day for the time actually employed, and ten cents per mile for travelling expenses: *Provided*, That no one shall be paid in any one year for more than twenty days' service, or for more than three hundred miles' travel.'

"Article 8, line 10, strike out 'their agent,' and insert: 'the commissioner of Indian affairs.'

"Article 9, line 7, strike out the word 'family' and insert 'lawful wife.'

"Article 9, lines 9, 10, and 11, strike out 'whose moral habits and fitness shall be reported upon annually by the board of visitors.'

"Article 9, line 16, strike out the words 'and may be expelled from the reservation.'

" Article 10, lines 5, 6, 7, and 8, strike out : ' which shall be done whenever the board of visitors, by the request of the chiefs, may recommend it, provided that no change shall take place oftener than once in two years.'

" Article 10. At the end of article 10, as amended, insert the following : ' Provided, That not less than one half of said annuities shall be paid in necessary clothing, provisions, and other necessary and useful articles.'

" Attest :

J. W. FORNEY, *Secretary.*

" By W. HICKEY, *Chief Clerk.*"

And whereas the foregoing amendments having been fully interpreted and explained to the said Henry M. Rice, commissioner, and the hereinafter named chiefs and headmen of the various bands of Chippewa Indians of the Mississippi, and the Pillagers, parties to the foregoing treaty, they did, on the fourteenth day of March, one thousand eight hundred and sixty-three, at the city of Washington, in the District of Columbia, give their free and voluntary assent to the same, in the words and figures following, to wit :

We, the undersigned, chiefs and headmen of the various bands of Chippewa Indians of the Mississippi, and the Pillagers, parties to the foregoing treaty, concluded between the United States and the Chippewas of the Mississippi, on the eleventh day of March, one thousand eight hundred and sixty-three, hereby give our free and voluntary assent to the amendments thereto made by the Senate on the thirteenth day of March, one thousand eight hundred and sixty-three, after having the said amendments fully explained to us.

Amendments
assented to.

Signature.

In testimony whereof, we have hereunto subscribed our names and affixed our seals, at the city of Washington, this fourteenth day of March, A. D. one thousand eight hundred and sixty-three.

HENRY M. RICE, <i>Commissioner,</i>		[SEAL.]
SHOB-OSH-KUNK,	his x mark.	[SEAL.]
ME-ME-NO-KE-SHEY,	his x mark.	[SEAL.]
PE-DUD-TENCE,	his x mark.	[SEAL.]
MOSE-O-MAW-NAY,	his x mark.	[SEAL.]
WAY-O-SAW-WA-GON-AIB,	his x mark.	[SEAL.]
ME-NO-KE-SHICK,	his x mark.	[SEAL.]
TAY-TAW-KAW-MON-SEY,	his x mark.	[SEAL.]

Gull Lake Band.

QUI-WE-SHEN-SHISH,	his x mark.	[SEAL.]
WA-BOO-GEEG,	his x mark.	[SEAL.]

Rabbit Lake Band.

AW-AW-JAW-WA-KE-SHICK,	his x mark.	[SEAL.]
ME-JAW-KE-KE-SHICK,	his x mark.	[SEAL.]
NAH-GAH-NE-GAW-BOW,	his x mark.	[SEAL.]

Sandy Lake Band.

AW-AW-BED-WE-WE-DUNG,	his x mark.	[SEAL.]
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Poke-gama Band.

MAW-JE-WE-WE-DUNG,	his x mark.	[SEAL.]
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Leech Lake Band.

BE-SHE-KEE,	his x mark.	[SEAL.]
NAW-BON-E-AUSH,	his x mark.	[SEAL.]
OGEMA-OCHON-WAIB,	his x mark.	[SEAL.]
KAY-MAY-WE-NAUSH,	his x mark.	[SEAL.]
KEY-BEY-NAW-GAY,	his x mark.	[SEAL.]

Winne-pegoshish Band.

KOG-MOB-BEY, his x mark. [SEAL.]
MIS-CO-PE-NEN-SHEY, his x mark. [SEAL.]

Cass Lake Band.

MAW-JE-KE-SHICK, his x mark. [SEAL.]
MAN-ETO-KE-SHICK, his x mark. [SEAL.]
O-GEE-TUB, his x mark. [SEAL.]
JOHN JOHNSON, [SEAL.]

Signed in presence of—

D. GEO. MORRISON,
J. G. MORRISON,
PETER ROY,
A. S. H. WHITE,
GEO. C. WHITING,
HARRIET S. TRUMBULL,
FLORENCE BAKER,
SADA BAKER,
SOPHRONIA J. BAKER,
SUSAN GAYLORD,
LYMAN TRUMBULL,
P. M. CLARK.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the thirteenth of March, one thousand eight hundred and sixty-three, accept, ratify, and confirm said treaty, with the amendments as aforesaid. Proclaimed by President, March 19, 1863.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, and have signed the same with my hand.

[L. s.] Done at the city of Washington, this nineteenth day of March, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

APPENDIX.—PROCLAMATIONS.

No. 1.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: June 25, 1860.

A PROCLAMATION.

WHEREAS an extraordinary occasion has occurred, rendering it necessary and proper that the Senate of the United States shall be convened, to receive and act upon such communications as have been or may be made to it on the part of the Executive: Extraordinary session of the Senate called for June 26, 1860.

Now, therefore, I, JAMES BUCHANAN, President of the United States, do issue this my proclamation, declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the Capitol, in the city of Washington, on the 26th day of June instant, at 12 o'clock at noon of that day, of which all who shall then be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, this 25th day of June, Anno Domini 1860, and of the independence of the United States the eighty-fourth.

[SEAL.] By the President:

LEWIS CASS, *Secretary of State.*

JAMES BUCHANAN.

No. 2.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: February 11, 1861.

A PROCLAMATION.

WHEREAS objects of interest to the United States require that the Senate should be convened at twelve o'clock on the Fourth of March next, to receive and act upon such communications as may be made to it on the part of the Executive: Extraordinary session of the Senate called for March 4, 1861.

Now, therefore, I, JAMES BUCHANAN, President of the United States, have considered it to be my duty to issue this my Proclamation, declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the Capitol, in the city of Washington, on the Fourth day of March next, at twelve o'clock at noon on that day, of which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States at Washington, the eleventh day of February, in the year of our Lord one thousand [L. S.] eight hundred and sixty-one, and of the Independence of the United States of America the eighty-fifth.

JAMES BUCHANAN.

BY THE PRESIDENT:

J. S. BLACK, *Secretary of State.*

No. 3.

April 15, 1861. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA :

A PROCLAMATION.

Preamble.

WHEREAS the laws of the United States have been, for some time past, and now are opposed, and the execution thereof obstructed, in the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by law :

Militia called out.

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, in virtue of the power in me vested by the Constitution and the laws, have thought fit to call forth, and hereby do call forth, the militia of the several States of the Union, to the aggregate number of seventy-five thousand, in order to suppress said combinations, and to cause the laws to be duly executed.

The details for this object will be immediately communicated to the State authorities through the War Department.

I appeal to all loyal citizens to favor, facilitate, and aid this effort to maintain the honor, the integrity, and the existence of our National Union, and the perpetuity of popular government; and to redress wrongs already long enough endured.

I deem it proper to say that the first service assigned to the forces hereby called forth will probably be to repossess the forts, places, and property which have been seized from the Union; and in every event, the utmost care will be observed, consistently with the objects aforesaid, to avoid any devastation, any destruction of, or interference with, property, or any disturbance of peaceful citizens in any part of the country.

Persons in combination to disperse.

And I hereby command the persons composing the combinations aforesaid to disperse, and retire peaceably to their respective abodes within twenty days from this date.

Extraordinary session of Congress convened.

Deeming that the present condition of public affairs presents an extraordinary occasion, I do hereby, in virtue of the power in me vested by the Constitution, convene both Houses of Congress. Senators and Representatives are therefore summoned to assemble at their respective chambers, at twelve o'clock, noon, on Thursday, the fourth day of July next, then and there to consider and determine such measures as, in their wisdom, the public safety and interest may seem to demand.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the City of Washington, this fifteenth day of April, in the year [L. S.] of our Lord one thousand eight hundred and sixty-one, and of the Independence of the United States the eighty-fifth.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

No. 4.

April 19, 1861. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA :

A PROCLAMATION.

Preamble.

WHEREAS an insurrection against the Government of the United States has broken out in the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, and the laws of the United States for the collection of the revenue cannot be effectually executed therein conformably to that provision of the Constitution which requires duties to be uniform throughout the United States :

And whereas a combination of persons, engaged in such insurrection, have threatened to grant pretended letters of marque to authorize the bearers thereof

to commit assaults on the lives, vessels, and property of good citizens of the country lawfully engaged in commerce on the high seas, and in waters of the United States:

And whereas an Executive Proclamation has been already issued, requiring the persons engaged in these disorderly proceedings to desist therefrom, calling out a militia force for the purpose of repressing the same, and convening Congress in extraordinary session to deliberate and determine thereon:

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, with a view to the same purposes before mentioned, and to the protection of the public peace, and the lives and property of quiet and orderly citizens pursuing their lawful occupations, until Congress shall have assembled and deliberated on the said unlawful proceedings, or until the same shall have ceased, have further deemed it advisable to set on foot a blockade of the ports within the States aforesaid, in pursuance of the laws of the United States and of the law of nations in such case provided. For this purpose a competent force will be posted so as to prevent entrance and exit of vessels from the ports aforesaid. If, therefore, with a view to violate such blockade, a vessel shall approach, or shall attempt to leave either of the said ports, she will be duly warned by the commander of one of the blockading vessels, who will indorse on her register the fact and date of such warning, and if the same vessel shall again attempt to enter or leave the blockaded port, she will be captured and sent to the nearest convenient port, for such proceedings against her and her cargo as prize, as may be deemed advisable.

Blockade of ports in certain States declared.

And I hereby proclaim and declare that if any person, under the pretended authority of the said States, or under any other pretence, shall molest a vessel of the United States, or the persons or cargo on board of her, such person will be held amenable to the laws of the United States for the prevention and punishment of piracy.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, this nineteenth day of April, in the year [L. s.] of our Lord one thousand eight hundred and sixty-one, and of the Independence of the United States the eighty-fifth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

No. 5.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: April 27, 1861.

A PROCLAMATION.

WHEREAS, for the reasons assigned in my Proclamation of the nineteenth instant, a blockade of the ports of the States of South Carolina, Georgia, Florida, Alabama, Louisiana, Mississippi, and Texas was ordered to be established:

Preamble.

And whereas, since that date, public property of the United States has been seized, the collection of the revenue obstructed, and duly commissioned officers of the United States, while engaged in executing the orders of their superiors, have been arrested and held in custody as prisoners, or have been impeded in the discharge of their official duties without due legal process, by persons claiming to act under authorities of the States of Virginia and North Carolina:

Blockade extends to ports of other states.

An efficient blockade of the ports of those States will also be established.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty-seventh day of April, in the [L. s.] year of our Lord one thousand eight hundred and sixty-one, and of the Independence of the United States the eighty-fifth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

May 3, 1861. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Preamble.

WHEREAS existing exigencies demand immediate and adequate measures for the protection of the national Constitution and the preservation of the national Union by the suppression of the insurrectionary combinations now existing in several States for opposing the laws of the Union and obstructing the execution thereof, to which end a military force in addition to that called forth by my Proclamation of the fifteenth day of April in the present year, appears to be indispensably necessary:

Volunteers for three years called for.

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, and Commander-in-Chief of the Army and Navy thereof, and of the Militia of the several States when called into actual service, do hereby call into the service of the United States forty-two thousand and thirty-four volunteers, to serve for the period of three years unless sooner discharged, and to be mustered into service as infantry and cavalry. The proportions of each arm and the details of enrollment and organization will be made known through the Department of War.

Increase of regular army.

And I also direct that the regular army of the United States be increased by the addition of eight regiments of infantry, one regiment of cavalry, and one regiment of artillery, making altogether a maximum aggregate increase of twenty-two thousand seven hundred and fourteen, officers and enlisted men, the details of which increase will also be made known through the Department of War.

Increase of seamen in the navy

And I further direct the enlistment for not less than one or more than three years, of eighteen thousand seamen, in addition to the present force, for the naval service of the United States. The details of the enlistment and organization will be made known through the Department of the Navy.

The call for volunteers, hereby made, and the direction for the increase of the regular army, and for the enlistment of seamen hereby given, together with the plan of organization adopted for the volunteers and for the regular forces hereby authorized will be submitted to Congress as soon as assembled.

In the mean time I earnestly invoke the coöperation of all good citizens in the measures hereby adopted, for the effectual suppression of unlawful violence, for the impartial enforcement of constitutional laws, and for the speediest possible restoration of peace and order, and, with these, of happiness and prosperity throughout the country.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this third day of May, in the year of our [L. s.] Lord one thousand eight hundred and sixty-one, and of the Independence of the United States the eighty-fifth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

May 10, 1861. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Preamble.

WHEREAS an insurrection exists in the State of Florida, by which the lives, liberty, and property of loyal citizens of the United States are endangered:

Martial law declared in certain islands on the coast of Florida.

And whereas it is deemed proper that all needful measures should be taken for the protection of such citizens and all officers of the United States in the discharge of their public duties in the State aforesaid:

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of

the United States, do hereby direct the commander of the forces of the United States on the Florida coast, to permit no person to exercise any office or authority upon the islands of Key West, the Tortugas, and Santa Rosa, which may be inconsistent with the Laws and Constitution of the United States, authorizing him at the same time, if he shall find it necessary, to suspend there the writ of *habeas corpus*, and to remove from the vicinity of the United States fortresses all dangerous or suspected persons.

Habeas corpus
suspended.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the City of Washington, this tenth day of May, in the year of our Lord one thousand eight hundred and sixty-one, and of the Independence of the United States the eighty-fifth.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

No. 8.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: August 12, 1861.

A PROCLAMATION.

WHEREAS a joint committee of both Houses of Congress has waited on the President of the United States, and requested him to "recommend a day of public Humiliation, Prayer, and Fasting, to be observed by the people of the United States with religious solemnities, and the offering of fervent supplications to Almighty God for the safety and welfare of these States, His blessings on their arms, and a speedy restoration of peace:"

Preamble.

And whereas it is fit and becoming in all people, at all times, to acknowledge and revere the Supreme Government of God; to bow in humble submission to his chastisements; to confess and deplore their sins and transgressions, in the full conviction that the fear of the Lord is the beginning of wisdom, and to pray, with all fervency and contrition, for the pardon of their past offences, and for a blessing upon their present and prospective action:

And, whereas, when our own beloved country, once, by the blessing of God, united, prosperous, and happy, is now afflicted with faction and civil war, it is peculiarly fit for us to recognize the hand of God in this terrible visitation, and in sorrowful remembrance of our own faults and crimes as a nation, and as individuals, to humble ourselves before Him, and to pray for His mercy — to pray that we may be spared further punishment, though most justly deserved; that our arms may be blessed, and made effectual for the re-establishment of law, order, and peace, throughout the wide extent of our country; and that the inestimable boon of civil and religious liberty, earned under His guidance and blessing, by the labors and sufferings of our fathers, may be restored in all its original excellence:

Preamble.

Therefore, I, ABRAHAM LINCOLN, President of the United States, do appoint the last Thursday in September next, as a day of Humiliation, Prayer, and Fasting, for all the people of the nation. And I do earnestly recommend to all the people, and especially to all ministers and teachers of religion, of all denominations, and to all heads of families, to observe and keep that day, according to their several creeds and modes of worship, in all humility, and with all religious solemnity, to the end that the united prayer of the nation may ascend to the Throne of Grace, and bring down plentiful blessings upon our country.

Appointment
of a day of public
humiliation,
prayer, and
fasting.

In testimony whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed, this twelfth day of August, A. D. [L. S.] eighteen hundred and sixty-one, and of the Independence of the United States of America the eighty-sixth.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

August 16, 1861 BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION.

Preamble.

WHEREAS, on the fifteenth day of April, eighteen hundred and sixty-one, the President of the United States, in view of an insurrection against the Laws, Constitution, and Government of the United States, which had broken out within the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, and in pursuance of the provisions of the act, entitled "An Act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for that purpose," approved February twenty-eight, seventeen hundred and ninety-five, did call forth the militia to suppress said insurrection, and to cause the laws of the Union to be duly executed, and the insurgents have failed to disperse by the time directed by the President; and, whereas, such insurrection has since broken out, and yet exists, within the States of Virginia, North Carolina, Tennessee, and Arkansas; and, whereas, the insurgents in all the said States claim to act under the authority thereof, and such claim is not disclaimed or repudiated by the persons exercising the functions of government in such State or States, or in the part or parts thereof in which such combinations exist, nor has such insurrection been suppressed by said States:

1795, ch. 36.
Vol. i. p. 424.

Inhabitants of
certain States
declared to be in
insurrection.
1861, ch. 3.
Ante, p. 255.

Commercial
intercourse there-
with prohibited.

Goods, &c.,
forfeited.

Ships, &c.,
forfeited after
fifteen days.

Duty of district
attorneys, mar-
shals, &c.

Remission of
penalties.
1861, ch. 3, § 8.
Ante, p. 257.

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, in pursuance of an act of Congress, approved July thirteen, eighteen hundred and sixty-one, do hereby declare that the inhabitants of the said States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, and Florida, (except the inhabitants of that part of the State of Virginia lying west of the Alleghany mountains, and of such other parts of that State and the other States hereinbefore named as may maintain a loyal adhesion to the Union and the Constitution, or may be, from time to time, occupied and controlled by forces of the United States engaged in the dispersion of said insurgents) are in a state of insurrection against the United States, and that all commercial intercourse between the same and the inhabitants thereof, with the exceptions aforesaid, and the citizens of other States and other parts of the United States is unlawful, and will remain unlawful until such insurrection shall cease or has been suppressed; that all goods and chattels, wares and merchandise, coming from any of said States, with the exceptions aforesaid, into other parts of the United States, without the special license and permission of the President, through the Secretary of the Treasury, or proceeding to any of said States, with the exceptions aforesaid, by land or water, together with the vessel or vehicle conveying the same, or conveying persons to or from said States, with said exceptions, will be forfeited to the United States; and that from and after fifteen days from the issuing of this proclamation, all ships and vessels belonging in whole or in part to any citizen or inhabitant of any of said States, with said exceptions, found at sea, or in any port of the United States, will be forfeited to the United States; and I hereby enjoin upon all district attorneys, marshals, and officers of the revenue and of the military and naval forces of the United States to be vigilant in the execution of said act, and in the enforcement of the penalties and forfeitures imposed or declared by it; leaving any party who may think himself aggrieved thereby to his application to the Secretary of the Treasury for the remission of any penalty or forfeiture, which the said Secretary is authorized by law to grant if, in his judgment, the special circumstances of any case shall require such remission.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the City of Washington, this sixteenth day of August, in the [L. s.] year of our Lord eighteen hundred and sixty-one, and of the Independence of the United States of America the eighty-sixth.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

No. 10.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: Feb. 19, 1862.

A PROCLAMATION.

It is recommended to the People of the United States that they assemble in their customary places of meeting for public solemnities on the twenty-second day of February instant, and celebrate the anniversary of the birth of the Father of his Country, by causing to be read to them his immortal Farewell Address. Celebration of the twenty-second day of February, recommended.

[L. S.] Given under my hand and the seal of the United States, at Washington, the nineteenth day of February, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States of America the eighty-sixth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

No. 11.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: April 10, 1862.

A PROCLAMATION.

It has pleased Almighty God to vouchsafe signal victories to the land and naval forces engaged in suppressing an internal rebellion, and at the same time to avert from our country the dangers of foreign intervention and invasion. Public thanksgiving for victories, recommended.

It is therefore recommended to the people of the United States that, at their next weekly assemblages in their accustomed places of public worship which shall occur after notice of this proclamation shall have been received, they especially acknowledge and render thanks to our Heavenly Father for these inestimable blessings; that they then and there implore spiritual consolations in behalf of all who have been brought into affliction by the casualties and calamities of sedition and civil war, and that they reverently invoke the Divine guidance for our national counsels, to the end that they may speedily result in the restoration of peace, harmony, and unity throughout our borders, and hasten the establishment of fraternal relations among all the countries of the earth.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

[L. S.] Done at the City of Washington, this tenth day of April, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the eighty-sixth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

No. 12.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: May 12, 1862.

A PROCLAMATION.

WHEREAS, by my Proclamation of the nineteenth of April, one thousand eight hundred and sixty-one, it was declared that the ports of certain States, including those of Beaufort, in the State of North Carolina, Port Royal, in the State of South Carolina, and New Orleans, in the State of Louisiana, were, for reasons therein set forth, intended to be placed under blockade; and whereas, the said ports of Beaufort, Port Royal, and New Orleans have since been block- Preamble.

aded; but as the blockade of the same ports may now be safely relaxed with advantage to the interests of commerce:

Ports of Beaufort, Port Royal, and New Orleans declared open, subject to limitations and regulations.

1861, ch. 3, § 5.
Ante, p. 257.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States, pursuant to the authority in me vested by the fifth section of the act of Congress, approved on the 13th of July last, entitled "An act further to provide for the collection of duties on imports, and for other purposes," do hereby declare that the blockade of the said ports of Beaufort, Port Royal, and New Orleans shall so far cease and determine, from and after the first day of June next, that commercial intercourse with those ports, except as to persons, things, and information contraband of war, may, from that time, be carried on, subject to the laws of the United States, and to the limitations and in pursuance of the regulations which are prescribed by the Secretary of the Treasury in his order of this date, which is appended to this Proclamation.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this twelfth day of May, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the eighty-sixth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State*.

TREASURY DEPARTMENT, May 12, 1862.

Regulations relating to Trade with Ports opened by Proclamation.

Regulations as to trade with opened ports.

1. To vessels clearing from foreign ports, and destined to ports opened by the proclamation of the President of the United States of this date, namely, Beaufort, in North Carolina, Port Royal, in South Carolina, and New Orleans, in Louisiana, licenses will be granted by Consuls of the United States upon satisfactory evidence that the vessels so licensed will convey no persons, property, or information contraband of war, either to or from the said ports, which licenses shall be exhibited to the Collector of the port to which said vessels may be respectively bound, immediately on arrival, and, if required, to any officer in charge of the blockade; and on leaving either of said ports every vessel will be required to have a clearance from the collector of the customs, according to law, showing no violation of the conditions of the license. Any violation of said conditions will involve the forfeiture and condemnation of the vessel and cargo, and the exclusion of all parties concerned from any further privilege of entering the United States during the war for any purpose whatever.

Licenses.

2. To vessels of the United States clearing coastwise for the ports aforesaid, licenses can only be obtained from the Treasury Department.

Blockade as to other ports not relaxed.

3. In all other respects the existing blockade remains in full force and effect as hitherto established and maintained, nor is it relaxed by the Proclamation except in regard to the ports to which the relaxation is by that instrument expressly applied.

S. P. CHASE, *Secretary of the Treasury*.

No. 13.

May 19, 1862. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

A PROCLAMATION.

Preamble.

WHEREAS there appears in the public prints what purports to be a proclamation of Major General Hunter, in the words and figures following, to wit:

Headquarters Department of the South,
Hilton Head, S. C., May 9, 1862.

General Orders No. 11.—The three States of Georgia, Florida, and South Carolina, comprising the military department of the South, having deliberately declared themselves no longer under the protection of the United States of America, and having taken up arms against the said United States, it becomes a military necessity to declare them under martial law. This was accordingly done

on the 25th day of April, 1862. Slavery and martial law in a free country are altogether incompatible; the persons in these three States—Georgia, Florida, and South Carolina—heretofore held as slaves, are therefore declared forever free.

(Official)

DAVID HUNTER,
Major General Commanding.

ED. W. SMITH, Acting Assistant Adjutant Gen'l.

And whereas the same is producing some excitement and misunderstanding, therefore,

I, ABRAHAM LINCOLN, President of the United States, proclaim and declare, that the Government of the United States had no knowledge, information, or belief, of an intention on the part of General Hunter to issue such a proclamation; nor has it yet any authentic information that the document is genuine. And further, that neither General Hunter, nor any other commander, or person, has been authorized by the Government of the United States to make proclamations declaring the slaves of any State free; and that the supposed proclamation, now in question, whether genuine or false, is altogether void, so far as respects such declaration.

Proclamation
void in part.

I further make known that whether it be competent for me, as Commander-in-Chief of the Army and Navy, to declare the slaves of any State or States free, and whether, at any time, in any case, it shall have become a necessity indispensable to the maintenance of the Government, to exercise such supposed power, are questions which, under my responsibility, I reserve to myself, and which I cannot feel justified in leaving to the decision of commanders in the field. These are totally different questions from those of police regulations in armies and camps.

On the sixth day of March last, by a special message, I recommended to Congress the adoption of a joint resolution to be substantially as follows:

Appeal for the
gradual abolishment of slavery.

Resolved, That the United States ought to cooperate with any State which may adopt a gradual abolishment of slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system.

The resolution, in the language above quoted, was adopted by large majorities in both branches of Congress, and now stands an authentic, definite, and solemn proposal of the nation to the States and people most immediately interested in the subject matter. To the people of those States I now earnestly appeal—I do not argue—I beseech you to make the arguments for yourselves—You cannot, if you would, be blind to the signs of the times—I beg of you a calm and enlarged consideration of them, ranging, if it may be, far above personal and partisan politics. This proposal makes common cause for a common object, casting no reproaches upon any. It acts not the Pharisee. The change it contemplates would come gently as the dews of heaven, not rending or wrecking anything. Will you not embrace it? So much good has not been done, by one effort, in all past time, as, in the providence of God, it is now your high privilege to do. May the vast future not have to lament that you have neglected it.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this nineteenth day of May, in the
[SEAL.] year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the eighty-sixth.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State*.

July 1, 1862. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA
A PROCLAMATION.

Preamble.
1862, ch. 98,
§ 2. *Ante*, p. 422.

WHEREAS, in and by the second section of an act of Congress passed on the 7th day of June, A. D. 1862, entitled "An act for the collection of direct taxes in insurrectionary districts within the United States and for other purposes," it is made the duty of the President to declare, on or before the first day of July then next following, by his proclamation, in what States and parts of States insurrection exists:

Certain States and parts of States proclaimed to be in rebellion.

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, do hereby declare and proclaim that the States of South Carolina, Florida, Georgia, Alabama, Louisiana, Texas, Mississippi, Arkansas, Tennessee, North Carolina, and the State of Virginia, except the following counties: Hancock, Brooke, Ohio, Marshall, Wetzel, Marion, Monongalia, Preston, Taylor, Pleasants, Tyler, Ritchie, Doddridge, Harrison, Wood, Jackson, Wirt, Roane, Calhoun, Gilmer, Barbour, Tucker, Lewis, Braxton, Upshur, Randolph, Mason, Putnam, Kanawha, Clay, Nicholas, Cabell, Wayne, Boone, Logan, Wyoming, Webster, Fayette, and Raleigh, are now in insurrection and rebellion, and by reason thereof the civil authority of the United States is obstructed so that the provisions of the "Act to provide increased revenue from imports, to pay the interest on the public debt and for other purposes," approved August fifth, eighteen hundred and sixty-one, cannot be peaceably executed, and that the taxes legally chargeable upon real estate under the act last aforesaid, lying within the States and parts of States as aforesaid, together with a penalty of fifty per centum of said taxes, shall be a lien upon the tracts or lots of the same, severally charged, till paid.

1861, ch. 45.
Ante, p. 292.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this first day of July, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States of America the eighty-sixth.

ABRAHAM LINCOLN.

By the President:

F. W. SEWARD, *Acting Secretary of State.*

No. 15.

July 25, 1862. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:
A PROCLAMATION.

Persons engaged in rebellion warned to cease aiding therein and to return to their allegiance.

In pursuance of the sixth section of the act of Congress entitled "An act to suppress insurrection and to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," approved July 17, 1862, and which act, and the joint resolution explanatory thereof, are herewith published; I, ABRAHAM LINCOLN, President of the United States, do hereby proclaim to and warn all persons within the contemplation of said sixth section to cease participating in, aiding, countenancing, or abetting the existing rebellion, or any rebellion, against the Government of the United States, and to return to their proper allegiance to the United States, on pain of the forfeitures and seizures as within and by said sixth section provided.

1862, ch. 195, § 6.
Ante, p. 591.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this twenty-fifth day of July, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

No. 16.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: Sept. 22, 1862.

A PROCLAMATION.

I, ABRAHAM LINCOLN, President of the United States of America, and commander-in-chief of the army and navy thereof, do hereby proclaim and declare that hereafter, as heretofore, the war will be prosecuted for the object of practically restoring the constitutional relation between the United States and each of the states and the people thereof, in which states that relation is or may be suspended or disturbed.

Objects of the war.

That it is my purpose, upon the next meeting of Congress, to again recommend the adoption of a practical measure tendering pecuniary aid to the free acceptance or rejection of all slave states, so called, the people whereof may not then be in rebellion against the United States, and which states may then have voluntarily adopted, or thereafter may voluntarily adopt, immediate or gradual abolishment of slavery within their respective limits; and that the effort to colonize persons of African descent with their consent upon this continent or elsewhere, with the previously obtained consent of the governments existing there, will be continued.

Pecuniary aid towards the abolishment of slavery to be again recommended.

That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any state or designated part of a state, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

Slaves in states, &c., in rebellion, to be free from Jan. 1, 1863.

That the Executive will, on the first day of January aforesaid, by proclamation, designate the states and parts of states, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be, in good faith, represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such state shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such state, and the people thereof, are not then in rebellion against the United States.

States, &c., in rebellion to be designated.

What to be evidence that they are not in rebellion.

That attention is hereby called to an act of Congress entitled "An act to make an additional article of war," approved March 13, 1862, and which act is in the words and figure following:

Obedience, &c., to certain acts of Congress enjoined.

1862, ch. 40. Ante, p. 354.

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the following shall be promulgated as an additional article of war, for the government of the army of the United States, and shall be obeyed and observed as such:

"ARTICLE —. All officers or persons in the military or naval service of the United States are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor who may have escaped from any persons to whom such service or labor is claimed to be due, and any officer who shall be found guilty by a court-martial of violating this article shall be dismissed from the service.

"SEC. 2. And be it further enacted, That this act shall take effect from and after its passage."

Also to the ninth and tenth sections of an act entitled "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate property of rebels, and for other purposes," approved July 17, 1862, and which sections are in the words and figures following:

1862, ch. 195, §§ 9, 10. Ante, p. 591.

"SEC. 9. And be it further enacted, That all slaves of persons who shall hereafter be engaged in rebellion against the Government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons or deserted by them, and coming under the control of the Government of the United States; and all slaves of such persons found on [or] being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves.

SEC. 10. *And be it further enacted*, That no slave escaping into any state, territory, or the District of Columbia, from any other state, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service."

And I do hereby enjoin upon and order all persons engaged in the military and naval service of the United States to observe, obey, and enforce, within their respective spheres of service, the act and sections above recited.

Compensation
to loyal persons
for certain losses.

And the Executive will in due time recommend that all citizens of the United States who shall have remained loyal thereto throughout the rebellion shall (upon the restoration of the constitutional relation between the United States and their respective states and people, if that relation shall have been suspended or disturbed) be compensated for all losses by acts of the United States, including the loss of slaves.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-second day of September,
[L. s.] in the year of our Lord one thousand eight hundred and sixty-two,
and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State*.

No. 17.

January 1, 1863. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA :

A PROCLAMATION.

Certain states
and parts of
states designated
as in rebellion.

Ante, p. 1267.

WHEREAS, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit :

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any state or designated part of a state, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever, free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the Executive will, on the first day of January aforesaid, by proclamation, designate the states and parts of states, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any state, or the people thereof, shall on that day be in good faith represented in the Congress of the United States, by members chosen thereto at elections wherein a majority of the qualified voters of such states shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such state, and the people thereof, are not then in rebellion against the United States."

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, by virtue of the power in me vested as commander-in-chief of the army and navy of the United States, in time of actual armed rebellion against the authority and Government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and in accordance with my purpose so to do, publicly proclaimed for the full period of one hundred days

from the day first above mentioned, order and designate as the states and parts of states wherein the people thereof, respectively, are this day in rebellion against the United States, the following, to wit:

Arkansas, Texas, Louisiana, (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terre Bonne, Lafourche, St. Mary, St. Martin, and Orleans, including the city of New Orleans,) Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia, (except the forty-eight counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Ann, and Norfolk, including the cities of Norfolk and Portsmouth,) and which excepted parts are for the present left precisely as if this proclamation were not issued.

And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated states and parts of states are, and henceforward shall be, free; and that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons. Slaves therein declared free, &c

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defence; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make known that such persons, of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this first day of January, in the year of our [L. s.] Lord one thousand eight hundred and sixty-three, and of the Independence of the United States of America the eighty-seventh.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

No. 18.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: Feb. 23, 1863.

A PROCLAMATION.

WHEREAS objects of interest to the United States require that the Senate should be convened at twelve o'clock on the fourth of March next, to receive and act upon such communications as may be made to it on the part of the Executive: Extraordinary session of the Senate convened for March 4, 1863.

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, have considered it to be my duty to issue this my proclamation, declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the Capitol, in the city of Washington, on the fourth day of March next, at twelve o'clock at noon on that day, of which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, the twenty-eighth day of February, in the year of our Lord one thousand [L. s.] eight hundred and sixty-three, and of the Independence of the United States of America the eighty-seventh.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

March 30, 1863. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA :

A PROCLAMATION.

Preamble.

WHEREAS, the Senate of the United States, devoutly recognizing the Supreme Authority and just Government of Almighty God, in all the affairs of men and of nations, has, by a resolution, requested the President to designate and set apart a day for National prayer and humiliation :

And whereas it is the duty of nations as well as of men, to own their dependence upon the overruling power of God, to confess their sins and transgressions, in humble sorrow, yet with assured hope that genuine repentance will lead to mercy and pardon ; and to recognize the sublime truth, announced in the Holy Scriptures and proven by all history, that those nations only are blessed whose God is the Lord :

And, insomuch as we know that, by His divine law, nations, like individuals, are subjected to punishments and chastisements in this world, may we not justly fear that the awful calamity of civil war, which now desolates the land, may be but a punishment inflicted upon us for our presumptuous sins, to the needful end of our national reformation as a whole People ? We have been the recipients of the choicest bounties of Heaven. We have been preserved, these many years, in peace and prosperity. We have grown in numbers, wealth, and power as no other nation has ever grown. But we have forgotten God. We have forgotten the gracious hand which preserved us in peace, and multiplied and strengthened us ; and we have vainly imagined, in the deceitfulness of our hearts, that all these blessings were produced by some superior wisdom and virtue of our own. Intoxicated with unbroken success, we have become too self-sufficient to feel the necessity of redeeming and preserving grace, too proud to pray to the God that made us !

It behooves us, then, to humble ourselves before the offended Power, to confess our national sins, and to pray for clemency and forgiveness.

Day set apart
as a day of National humiliation,
fasting,
and prayer.

Now, therefore, in compliance with the request, and fully concurring in the views of the Senate, I do, by this my proclamation, designate and set apart Thursday, the 30th day of April, 1863, as a day of national humiliation, fasting, and prayer. And I do hereby request all the People to abstain on that day from their ordinary secular pursuits, and to unite, at their several places of public worship and their respective homes, in keeping the day holy to the Lord, and devoted to the humble discharge of the religious duties proper to that solemn occasion.

All this being done, in sincerity and truth, let us then rest humbly in the hope authorized by the Divine teachings, that the united cry of the Nation will be heard on high, and answered with blessings, no less than the pardon of our national sins, and the restoration of our now divided and suffering country, to its former happy condition of unity and peace.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington this thirtieth day of March, in the [L. s.] year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

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